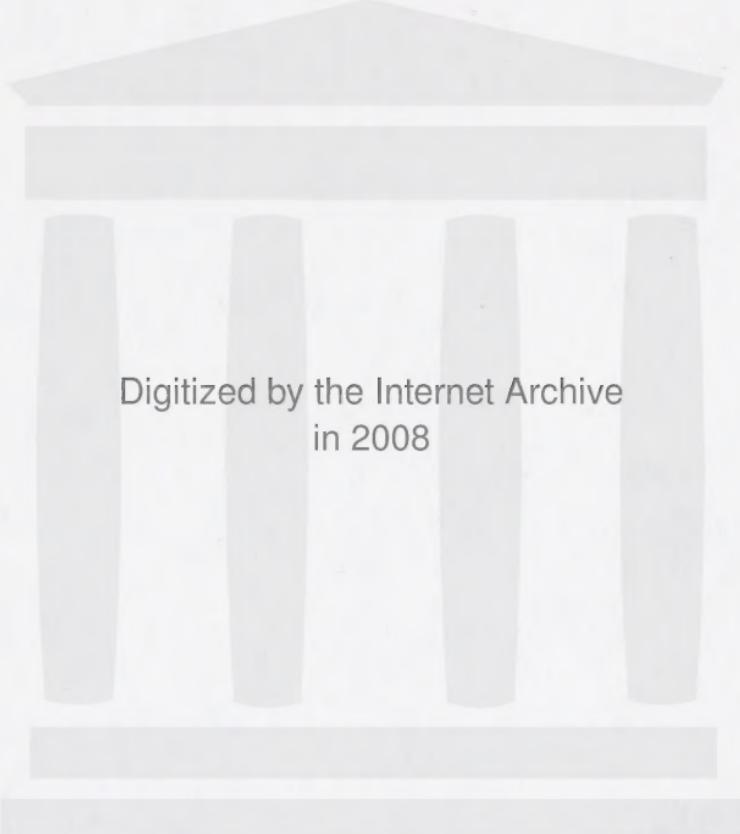


UNIVERSITY OF TORONTO

A standard linear barcode is located in the top left corner of the white label. It consists of vertical black lines of varying widths on a white background.

3 1761 01365422 3



Digitized by the Internet Archive  
in 2008





BISHOP BURNET'S  
HISTORY OF HIS OWN TIME.



50  
(BISHOP BURNET'S)

# HISTORY OF HIS OWN TIME:

FROM THE

RESTORATION OF KING CHARLES THE SECOND

TO THE TREATY OF PEACE AT UTRECHT,

IN THE REIGN OF QUEEN ANNE.

A New Edition,

WITH HISTORICAL AND BIOGRAPHICAL NOTES,  
AND

EMBELLISHED WITH FIFTY-ONE PORTRAITS.

VOLUME II.

324 381  
2. 36.  
10.

LONDON:

WILLIAM S. ORR & CO., AMEN CORNER,  
PATERNOSTER ROW.

MDCCCL.

DA

430

887

1850

v. 2

them to make their escape. But, before this could be done, a party came about the house, and took both them, and her for harbouring them. Jeffreys resolved to make a sacrifice of her, and obtained of the king a promise that he would not pardon her. Which the king owned to the earl of Feversham, when he, upon the offer of 1000*l.* if he could obtain her pardon, went and begged it\*. So she was brought to her trial. No legal proof was brought that she knew that they were rebels: the names of the persons found in her house were in no proclamation: so there was no notice given to beware of them. Jeffreys affirmed to the jury, upon his honour, that the persons had confessed that they had been with the duke of Monmouth. This was the turning a witness against her, after which he ought not to have judged in the matter. And, though it was insisted on, as a point of law, that till the persons found in her house were convicted, she could not be found guilty, yet Jeffreys charged the jury in a most violent manner to bring her in guilty. All the audience was strangely affected with so unusual a behaviour in a judge. Only the person most concerned, the lady herself, who was then past seventy, was so little moved at it that she fell asleep. The jury brought her in not guilty. But the judge in great fury sent them out again. Yet they brought her in a second time not guilty. Then he seemed as in a transport of rage. He upon that threatened them with an attaint of jury. And they, overcome with fear, brought her in the third time guilty. The king would show no other favour, but that he changed the sentence from burning to beheading. She died with great constancy of mind; and expressed a joy that she thus suffered for an act of charity and piety.

Most of those that had suffered expressed at their death such a calm firmness, and such a zeal for their religion, which they believed was then in danger, that it made great impressions on the spectators. Some base men among them tried to save themselves by accusing others. Goodenough†, who had been under-sheriff of London, when Cornish was sheriff, offered to swear against Cornish; and also said, that Rumsey had not discovered all he knew. So Rumsey, to save himself, joined with Goodenough, to swear Cornish guilty of that for which the lord Russel had suffered. And this was driven on so fast, that Cornish was seized on, tried, and executed within the week. If he had got a little time, the falsehood of the evidence would have been proved from Rumsey's former deposition, which appeared so clearly soon after his death, that his estate was restored to his family, and the witnesses were lodged in remote prisons for their lives. Cornish, at his death, asserted his innocence with great vehemence; and with some acrimony complained of the methods taken to destroy him. And so they gave it out, that he died in a fit of fury. But Pen, who saw the execution, said to me, there appeared nothing but a just indignation that innocence might very naturally give. Pen might be well relied on in such matters, he being so entirely in the king's interests. He said to me, the king was much to be pitied, who was hurried into all this effusion of blood by Jeffreys's impetuous and cruel temper. But, if his own inclinations had not been biased that way, and if his priests had not thought it the interest of their party to let that butcher loose, by which so many men that were like to oppose them were put out of the way, it is not to be imagined, that there would have been such a run of barbarous cruelty, and that in so many instances.

It gave a general horror to the body of the nation: and it let all people see, what might be expected from a reign that seemed to delight in blood. Even some of the fairest of tories began to relent a little, and to think they had trusted too much, and gone too far. The king had raised new regiments, and had given commissions to papists. This was overlooked during the time of danger, in which all men's service was to be made use of: and by law they might serve three months. But now, as that time was near lapsing, the king began to say, the laws for the two tests were made on design against himself: the first was made to turn him out of the admiralty, and the second to make way for the exclusion; and, he added, that it was an affront to him to insist on the observance of those laws. So these

\* This is denied by Macpherson; but, another defender of the Stuarts, the author of "the Caveat," admits its truth, and adds, that the ladies St. John and Abergavenny asked of James a one day's reprieve for her in vain!—Woolrych's life of Jeffreys, 195.

† Dean Swift has related that this wretch retired afterwards to Ireland, where he practised as an attorney, and died there.—Oxford edition of this work.

persons, notwithstanding that act, were continued in commission; and the king declared openly, that he must look on all those who would not consent to the repeal of those laws, in the next session of parliament, as his enemies.

The courtiers began everywhere to declaim against them. It was said to be against the rights of the crown to deny the king the service of all his subjects, to be contrary to the dignity of peerage to subject peers to any other tests than their allegiance, and that it was an insufferable affront done the king, to oblige all those whom he should employ, to swear that his religion was idolatrous. On the other hand all the people saw, that, if those acts were not maintained, no employment would be given to any but papists, or to those who gave hopes that they would change: and, if the parliament test was taken off, then the way was opened to draw over so many members of both houses, as would be in time a majority, to bring on an entire change of the laws with relation to religion. As long as the nation reckoned their kings were true, and sure to their religion, there was no such need of those tests, while the giving employments was left free, and our princes were like to give them only to those of their own religion. But since we had a prince professing another religion, it seemed the only security that was left to the nation, and that the tests stood as a barrier to defend us from popery. It was also said, that those tests had really quieted the minds of the greater part of the nation, and had united them against the exclusion; since they reckoned their religion was safe by reason of them. The military men went in zealously into those notions: for they saw, that, as soon as the king should get rid of the tests, they must either change their religion, or lose their employments. The clergy, who for most part had hitherto run in with fury to all the king's interests, began now to open their eyes. Thus all on a sudden the temper of the nation was much altered. The marquis of Halifax did move in council, that an order should be given to examine, whether all the officers in commission had taken the test, or not. But none seconded him: so the motion fell. And now all endeavours were used, to fix the repeal of the tests in the session that was coming on.

Some few converts were made at this time. The chief of these were the earl of Perth and his brother, the earl of Melfort. Some differences fell in between the duke of Queensborough and the earl of Perth. The latter thought the former was haughty and violent, and that he used him in too imperious a manner. So they broke. At that time the king published the two papers found in his brother's strong box. So the earl of Perth was either overcome with the reasons in them, or he thought it would look well at court, if he put his conversion upon these. He came up to complain of the duke of Queensborough. And his brother going to meet him at Ware, he discovered his designs to him, who seemed at first much troubled at it; but he plied him so, that he prevailed on him to join with him in his pretended conversion, which he did with great shows of devotion and zeal. But when his objections to the duke of Queensborough's administration were heard, they were so slight, that the king was ashamed of them: and all the court justified the duke of Queensborough. A repartee of the marquis of Halifax was much talked of on this occasion. The earl of Perth was taking pains to convince him that he had just grounds of complaint, and seemed little concerned in the ill effect this might have on himself. The marquis answered him, he needed fear nothing, "His faith would make him whole:" and it proved so.

Before he declared his change, the king seemed so well satisfied with the duke of Queensborough, that he was resolved to bring the earl of Perth to a submission, otherwise to dismiss him. So the king, having declared himself too openly to recall that so soon, ordered them both to go back to Scotland; and said he would signify his pleasure to them when they should be there. It followed them down very quickly. The duke of Queensborough was turned out of the treasury, and it was put in commission; and he, not to be too much irritated at once, was put first in the commission. And now it became soon very visible, that he had the secret no more; but that it was lodged between the two brothers, the earls of Perth and Melfort. Soon after that the duke of Queensborough was not only turned out of all his employments, but a design was laid to ruin him. All persons were encouraged to bring accusations against him, either with relation to the administration of the government, or of the treasury. And, if any colourable matter could have been found against him, it was resolved to have made him a sacrifice. This sudden hatred, after so entire a confidence, was

imputed to the suggestions the earl of Perth had made of his zeal against popery, and of his having engaged all his friends to stick firm in opposition to it. It was said, there was no need of making such promises, as he had engaged the king to make to the parliament of Scotland. Nobody desired or expected them : he only drove that matter on his own account : so it was fit to let all about the king see, what was to be looked for, if they pressed anything too severely with relation to religion.

But to leave Scotland, and return to England. The king, after he had declared that he would be served by none but those who would vote for the repeal of the tests, called for the marquis of Halifax, and asked him how he would vote in that matter. He very frankly answered, he would never consent to it : he thought the keeping up those laws was necessary, even for the king's service, since the nation trusted so much to them, that the public quiet was chiefly preserved by that means. Upon this the king told him, that though he would never forget past services, yet since he could not be prevailed on in that particular, he was resolved to have all of a piece. So he was turned out. And the earl of Sunderland was made lord president, and continued still secretary of state. More were not questioned at that time, nor turned out ; for it was hoped that, since all men saw what was to be expected, if they should not comply with the king's intentions, this would have its full effect upon those who had no mind to part with their places.

The king resolved also to model Ireland, so as to make that kingdom a nursery for his army in England, and to be sure at least of an army there, while his designs were to go on more slowly in the isle of Britain. The Irish bore an inveterate hatred to the duke of Ormond : so he was recalled. But, to dismiss him with some show of respect, he was still continued lord Steward of the household. The earl of Clarendon was declared lord-lieutenant. But the army was put under the command of Talbot, who was made earl of Tirconnel\*. And he began very soon to model it anew. The archbishop of Armagh had continued lord chancellor of Ireland, and was in all points so compliant to the court, that even his religion came to be suspected on that account. Yet, it seemed, he was not thought thorough paced. So sir Charles Porter, who was a zealous promoter of everything that the king proposed, and was a man of ready wit, and being poor was thought a person fit to be made a tool of, was declared lord chancellor of Ireland. To these the king said he was resolved to maintain the settlement of Ireland. They had authority to promise this, and to act pursuant to it. But, as both the earl of Clarendon and Porter were poor, it was hoped that they would understand the king's intentions, and see through those promises, that were made only to lay men asleep ; and that therefore they would not insist too much on them, nor pursue them too far.

But now, before I come to relate the short session of parliament, that was abruptly broken off, I must mention one great transaction that went before it, and had no small influence on all men's minds. And since I saw that dismal tragedy, which was at this time acted in France, I must now change the scene, and give some account of myself. When I resolved to go beyond sea, there was no choice to be made. So many exiles and outlawed persons were scattered up and down the towns of Holland and other provinces, that I saw the danger of going where I was sure many of them would come about me, and try to have involved me in guilt by coming into my company, that so they might engage me into their designs. So I resolved to go to France : and, if I found it not convenient to stay there, I intended to go on to Geneva, or Switzerland. I asked the French ambassador if I might be safe there. He, after some days, I suppose after he had written to the court upon it, assured me I should be safe there ; and that, if the king should ask after me, timely notice should be given me, that I might go out of the way. So I went to Paris. And there being many there whom I had reason to look on as spies, I took a little house, and lived by myself as privately as I could. I continued there till the beginning of August, when I went to Italy. I found the earl of Montague at Paris, with whom I conversed much, and got from him most of the secrets of the court, and of the negotiations he was engaged in. The king of France had been for many years weakening the whole protestant interest there, and was then upon the last

\* It is upon the affairs of Ireland, at this period, that Singer's Clarendon Correspondence affords its most useful information.

resolution of recalling the edict of Nantes. And, as far as I could judge, the affairs of England gave the last stroke to that matter.

This year, of which I am now writing, must ever be remembered as the most fatal to the protestant religion. In February, a king of England declared himself a papist. In June, Charles the elector palatine dying without issue, the electoral dignity went to the house of Newburgh, a most bigotted popish family. In October, the king of France recalled and vacated the edict of Nantes\*. And in December, the duke of Savoy being brought to it, not only by the persuasions, but even by the threatenings of the court of France, recalled the edict that his father had granted to the Vaudois. So it must be confessed, that this was a very critical year. And I have ever reckoned this the fifth great crisis of the protestant religion.

For some years the priests were everywhere making conversions in France. The hopes of pensions and preferments wrought on many. The plausible colours that the bishop of Meaux, then bishop of Condom, put on all the errors of the church of Rome, furnished others with excuses for changing. Many thought they must change at last, or be quite undone; for the king seemed to be engaged to go through with the matter, both in compliance with the shadow of conscience that he seemed to have, which was to follow implicitly the conduct of his confessor, and of the archbishop of Paris, he himself being ignorant in those matters beyond what can be well imagined; and because his glory seemed also concerned to go through with everything that he had once begun.

Old Rouvigny, who was the deputy general of the churches, told me that he was long deceived in his opinion of the king. He knew he was not naturally bloody. He saw his gross ignorance in those matters. His bigotry could not rise from any inward principle. So for many years he flattered himself with the hopes, that the design would go on so slowly, that some unlooked for accident might defeat it. But after the peace of Nimeguen (in 1678), he saw such steps made with so much precipitation, that he told the king he must beg a full audience of him upon that subject. He gave him one that lasted some hours. He came well prepared. He told him what the state of France was during the wars in his father's reign: how happy France had been now for fifty years, occasioned chiefly by the quiet it was in with relation to those matters. He gave him an account of their numbers, their industry and wealth, their constant readiness to advance the revenue, and that all the quiet he had with the court of Rome was chiefly owing to them: if they were rooted out, the court of Rome would govern as absolutely in France as it did in Spain. He desired leave to undeceive him, if he was made believe they would all change, as soon as he engaged his authority in the matter: many would go out of the kingdom, and carry their wealth and industry into other countries. And by a scheme of particulars he reckoned how far that would go. In fine, he said, it would come to the shedding of much blood: many would suffer, and others would be precipitated into desperate courses. So that the most glorious of all reigns would be in conclusion disfigured and defaced, and become a scene of blood and horror. He told me, as he went through these matters, the king seemed to hearken to him very attentively. But he perceived they made no impression: for the king never asked any particulars, or any explanation, but let him go on. And, when he had ended, the king said he took his freedom well, since it flowed from his zeal to his service. He believed all that he had told him of the prejudice it might do him in his affairs: only he thought, it would not go to the shedding of blood. But he said, he considered himself as so indispensably bound to endeavour the conversion of all his subjects, and the extirpation of heresy, that if the doing it should require that with one hand he should cut off the other, he would submit to that. After this Rouvigny gave all his friends hints of what they were to look for. Some were for flying out into a new civil war. But, their chief confidence being in the assistance they expected from England, he, who knew what our princes were, and had reason to believe that king Charles was at least a cold protestant, if not a secret papist, and knew that the States would not embroil their affairs in assisting them, their maxims rather leading them to connive

\* The Edict of Nantes was issued by Henry the Fourth, of France, in 1598. Mochim, in his Ecclesiastical History, gives a detail of its clauses, and of the events which elicited it.

at anything that would bring great numbers and much wealth into their country than to oppose it, was against all motions of that kind. He reckoned those risings would be soon crushed, and so would precipitate their ruin with some colour of justice. He was much censured for this by some hot men among them, as having betrayed them to the court. But he was very unjustly blamed, as appeared both by his own conduct, and by his son's; who was received at first into the survivance of being deputy general for the churches, and afterwards, at his father's desire, had that melancholy post given him, in which he daily saw new injustices done, and was only suffered, for form's sake, to inform against them, but with no hope of success\*.

The father did, upon King Charles's death, write a letter of congratulation to the king, who wrote him such an obliging answer, that upon it he wrote to his niece the Lady Russel, that, having such assurances given him by the king of a high sense of his former services, he resolved to come over, and beg the restoring her son's honour†. The Marquis of Halifax did presently apprehend, that this was a blind, and that the king of France was sending him over to penetrate into the king's designs; since from all hands intimations were brought of the promises, that he made to the ministers of the other princes of Europe. So I was ordered to use all endeavours to divert him from coming over: his niece had indeed begged that journey of him, when she hoped it might have saved her husband's life, but she would not venture to desire the journey on any other consideration, considering his great age, and that her son was then but five years old. I pressed this so much on him, that, finding him fixed in his resolution, I could not hinder myself from suspecting, that such a high act of friendship, in a man some years past fourscore, had somewhat under it: and it was said, that, when he took leave of the king of France, he had an audience of two hours of him. But this was a false suggestion: and I was assured afterwards that he came over only in friendship to his niece, and that he had no directions nor messages from the court of France.

He came over, and had several audiences of the king, who used him with great kindness, but did not grant him that which he said he came for; only he gave him a general promise of doing it in a proper time.

But whether the court of France was satisfied by the conversation that Rouvigné had with the king, that they needed apprehend nothing from England; or whether the king's being now so settled on the throne made them conclude that the time was come of repealing the edicts, is not certain. M. de Louvoi, seeing the king so set on the matter, proposed to him a method which he believed would shorten the work, and do it effectually: which was to let loose some bodies of dragoons to live upon the protestants on discretion. They were put under no restraint, but only to avoid rapes and the killing them. This was begun in Bearn. And the people were so struck with it, that, seeing they were to be eat up first, and, if that prevailed not, to be cast in prison, when all was taken from them, till they should change, and being required only to promise to reunite themselves to the church, they, overcome with fear and having no time for consulting together, did universally comply. This did so animate the court, that, upon it the same methods were taken in most places of Guienne, Languedoc, and Dauphiné, where the greatest numbers of the protestants were. A dismal consternation and feebleness ran through most of them, so that great numbers yielded. Upon which the king, now resolved to go through with what had been long projected, published the edict repealing the edict of Nantes, in which (though that edict was declared to be a perpetual and irrevocable law,) he set forth, that it was only intended to quiet matters by it, till more effectual ways should be taken for the conversion of Heretics. He also promised in it, that, though all the public exercises of that religion were now suppressed, yet those of that persuasion who lived quietly should not be disturbed on that account, while at the same time not only the dragoons, but all the clergy and the bigots of France, broke out into all the instances of rage and fury, against such as did not change upon their being required in the king's name to be of his religion: for that was the style everywhere.

Men and women of all ages, who would not yield, were not only stripped of all they had, but kept long from sleep, driven about from place to place, and hunted out of their retire-

\* Henry Rouvigné will be frequently noticed in future pages as earl of Galway.

† Lord Russel was his great-nephew.

ments. The women were carried into nunneries, in many of which they were almost starved, whipped, and barbarously treated. Some few of the bishops, and of the secular clergy, to make the matter easier, drew formularies, importing that they were resolved to reunite themselves to the catholic church, and that they renounced the errors of Luther and Calvin. People in such extremities are easy to put a stretched sense on any words, that may give them present relief. So it was said, what harm was it to promise to be united to the catholic church: and the renouncing those men's errors did not renounce their good and sound doctrine. But it was very visible with what intent those subscriptions or promises were asked of them: so their compliance in that matter was a plain equivocation. But, how weak and faulty soever they might be in this, it must be acknowledged here was one of the most violent persecutions that is to be found in history. In many respects it exceeded them all, both in the several inventions of cruelty, and in its long continuance. I went over the greatest part of France while it was in its hottest rage, from Marseilles to Montpelier, and from thence to Lyons, and so to Geneva. I saw and knew so many instances of their injustice and violence, that it exceeded even what could have been well imagined; for all men set their thoughts at work, to invent new methods of cruelty. In all the towns through which I passed, I heard the most dismal account of those things possible; but chiefly at Valence, where one Derapine seemed to exceed even the furies of inquisitors. One in the streets could have known the new converts, as they were passing by them, by a cloudy dejection that appeared in their looks and deportment. Such as endeavoured to make their escape, and were seized, (for guards and secret agents were spread along the whole roads and frontier of France,) were, if men, condemned to the galleys, and, if women, to monasteries. To complete this cruelty, orders were given that such of the new converts as did not at their death receive the sacrament, should be denied burial, and that their bodies should be left where other dead carcasses were cast out, to be devoured by wolves, or dogs. This was executed in several places with the utmost barbarity: and it gave all people so much horror, that, finding the ill effect of it, it was let fall. This hurt none, but struck all that saw it, even with more horror than those sufferings that were more felt. The fury that appeared on this occasion did spread itself with a sort of contagion: for the intendants and other officers that had been mild and gentle in the former parts of their life seemed now to have laid aside the compassion of christians, the breeding of gentlemen, and the common impressions of humanity. The greatest part of the clergy, the regulars especially, were so transported with the zeal that their king showed on this occasion, that their sermons were full of the most inflamed eloquence that they could invent, magnifying their king in strains too indecent and blasphemous, to be mentioned by me.

I staid at Paris till the beginning of August. Barrillon sent to me to look to myself; for the king had let some words fall importing his suspicion of me, as concerned in the duke of Monmouth's business. Whether this was done on design to see if such an insinuation could fright me away, and so bring me under some appearance of guilt, I cannot tell: for in that time everything was deceitfully managed. But I, who knew that I was not so much as guilty of concealment, resolved not to stir from Paris till the rebellion was over, and that the prisoners were examined and tried. When that was done, Stouppé, a brigadier-general, told me that M. de Louvoi had said to him, that the king was resolved to put an end to the business of the Huguenots that season: and since he was resolved not to change, he advised him to make a tour into Italy, that he might not seem to do anything that opposed the king's service. Stouppé told me this in confidence. So we resolved to make that journey together. Some thought it was too bold an adventure in me, after what I had written and acted in the matters of religion, to go to Rome. But others, who judged better, thought I ran no hazard in going thither: for, besides the high civility, with which all strangers are treated there, they were at that time in such hopes of gaining England, that it was not reasonable to think that they would raise the apprehensions of the nation, by using any that belonged to it ill: and the destroying me would not do them the service that could in any sort balance the prejudice that might arise from the noise it would make. And indeed I met with so high a civility at Rome, that it fully justified this opinion.

Pope Innocent the Eleventh, Odescalchi, knew who I was the day after I came to Rome.

And he ordered the captain of the Swiss guards to tell Stouppe that he had heard of me, and would give me a private audience a-bed, to save me from the ceremony of the pantoufle\*. But I knew the noise that this would make, so I resolved to avoid it, and excused it upon my speaking Italian so ill as I did. But cardinal Howard and the cardinal d'Estrees treated me with great freedom. The latter talked much with me concerning the orders of our church, to know whether they had been brought down to us by men truly ordained or not; for, he said, they apprehended things would be much more easily brought about, if our orders could be esteemed valid, though given in heresy and schism. I told him, I was glad they were not possessed with any opinion that made the reconciliation more difficult; but, as for the matter of fact, nothing was more certain than that the ordinations in the beginning of queen Elizabeth's reign were canonical and regular. He seemed to be persuaded of the truth of this, but lamented that it was impossible to bring the Romans to think so.

Cardinal Howard showed me all his letters from England, by which I saw that those who wrote to him reckoned, that their designs were so well laid that they could not miscarry. They thought they should certainly carry everything in the next session of parliament. There was a high strain of insolence in their letters: and they reckoned, they were so sure of the king, that they seemed to have no doubt left of their succeeding in the reduction of England. The Romans and Italians were much troubled at all this: for they were under such apprehensions of the growth of the French power, and had conceived such hopes of the king of England's putting a stop to it, that they were sorry to see the king engage himself so in the design of changing the religion of his subjects, which they thought would create him so much trouble at home, that he would neither have leisure, nor strength, to look after the common concerns of Europe. The cardinal told me, that all the advices written over from thence to England were for slow, calm, and moderate courses. He said, he wished he was at liberty to show me the copies of them; but he saw more violent courses were more acceptable, and would probably be followed. And he added, that these were the production of England, far different from the counsels of Rome.

He also told me, that they had not instruments enough to work with: for, though they were sending over all that were capable of the mission, yet he expected no great matters from them. Few of them spoke true English. They came over young, and retained all the English that they brought over with them, which was only the language of boys; but, their education being among strangers, they had formed themselves so upon that model, that really they preached as Frenchmen, or Italians, in English words: of which he was every day warning them, for he knew this could have no good effect in England. He also spoke with great sense of the proceedings in France, which he apprehended would have very ill consequences in England. I shall only add one other particular, which will show the soft temper of that good natured man.

He used me in such a manner, that it was much observed by many others. So two French gentlemen desired a note from me to introduce them to him. Their design was to be furnished with reliques; for he was then the cardinal that looked after that matter. One evening I came in to him as he was very busy in giving them some reliques. So I was called in to see them: and I whispered to him in English, that it was somewhat odd that a priest of the church of England should be at Rome, helping them off with the ware of Babylon. He was so pleased with this, that he repeated it to the others in French; and told the Frenchmen, that they should tell their countrymen how bold the heretics, and how mild the cardinals, were, at Rome.

I staid in Rome till prince Borghese came to me, and told me it was time for me to go. I had got great acquaintance there. And, though I did not provoke any to discourse of points of controversy, yet I defended myself against all those who attacked me with the same freedom that I had done in other places. This began to be taken notice of. So upon the first intimation I came away, and returned by Marseilles. And then I went through those southern provinces of France, that were at that time a scene of barbarity and cruelty.

I intended to have gone to Orange; but Tessé, with a body of dragoons, was then quar-

\* Kissing his foot, or slipper.

tered over that small principality, and was treating the protestants there in the same manner that the French subjects were treated in other parts. So I went not in, but passed near it, and had this account of that matter from some that were the most considerable men of the principality. Many inhabitants of the neighbouring places fled thither from the persecution : upon which a letter was written to the government there, in the name of the king of France, requiring them to put all his subjects out of their territory. This was hard. Yet they were too naked, and exposed, to dispute anything with those who could command everything. So they ordered all the French to withdraw. Upon which Tessé, who commanded in those parts, wrote to them, that the king would be well satisfied with the obedience they had given his orders. They upon this were quiet, and thought there was no danger. But the next morning Tessé marched his dragoons into the town, and let them loose upon them, as he had done upon the subjects of France. And they plied as feebly as most of the French had done. This was done while that principality was in the possession of the prince of Orange, pursuant to an article of the treaty of Nimeguen, of which the king of England was the guarantee. Whether the French had the king's consent to this, or if they presumed upon it, was not known. It is certain, he ordered two memorials to be given in at that court, complaining of it in very high terms. But nothing followed on it. And, some months after, the king of France did unite Orange to the rest of Provence, and suppressed all the rights it had as a distinct principality. The king wrote upon it to the princess of Orange, that he could do no more in that matter, unless he should declare war upon it ; which he could not think fit for a thing of such small importance.

But now the session of parliament drew on. And there was a great expectation of the issue of it. For some weeks before it met there was such a number of refugees coming over every day, who set about a most dismal recital of the persecution in France, and that in so many instances that were crying and odious, that, though all endeavours were used to lessen the clamour this had raised, yet the king did not stick openly to condemn it, as both unchristian and unpolitic. He took pains to clear the Jesuits of it, and laid the blame of it chiefly on the king, on madame de Maintenon, and the archbishop of Paris. He spoke often of it with such vehemence, that there seemed to be an affectation in it. He did more. He was very kind to the refugees. He was liberal to many of them. He ordered a brief for a charitable collection over the nation for them all : upon which great sums were sent in. They were deposited in good hands, and well distributed. The king also ordered them to be denized without paying the fees, and gave them great immunities. So that in all there came over first and last, between forty and fifty thousand of that nation. Here was such a real instance of the cruel and persecuting spirit of popery, wheresoever it prevailed, that few could resist this conviction. So that all men confessed that the French persecution came very seasonably to awaken the nation, and open men's eyes in so critical a conjuncture : for upon this session of parliament all did depend.

When it was opened, the king told them how happy his forces had been in reducing a dangerous rebellion, in which it had appeared how weak and insignificant the militia was : and therefore he saw the necessity of keeping up an army for all their security. He had put some in commission of whose loyalty he was well assured : and they had served him so well that he would not put that affront on them, and on himself, to turn them out. He told them, all the world saw, and they had felt the happiness of a good understanding between him and his parliament : so he hoped nothing should be done on their part to interrupt it, as he, on his own part, would observe all that he had promised.

Thus he fell upon the two most unacceptable points that he could have found out ; which were, a standing army, and a violation of the act of the test. There were some debates in the house of lords about thanking the king for his speech. It was pressed by the courtiers, as a piece of respect that was always paid. To this some answered, that was done when there were gracious assurances given. Only the earl of Devonshire said, he was for giving thanks, because the king had spoken out so plainly, and warned them of what they might look for. It was carried in the house to make an address of thanks for the speech. The lord Guilford, North, was now dead. He was a crafty and designing man. He had no mind to part with the great seal ; and yet he saw, he could not hold it without an entire







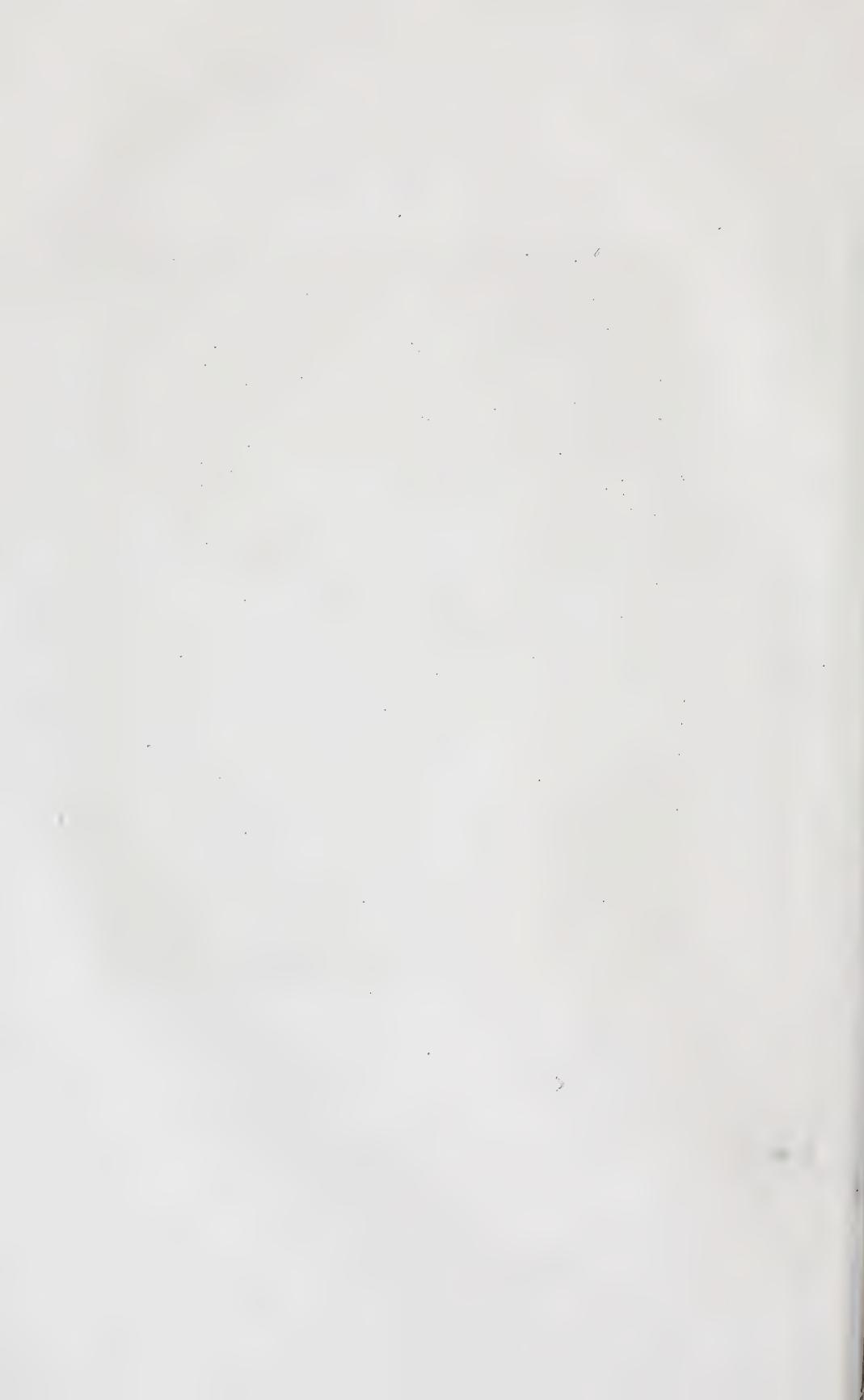
Engraved by W. T. Mote

FRANCIS NORTH, LORD GUILDFORD

OB. 1735.

THE MUSEUM OF THE BRITISH MUSEUM

THE RIGHT HON. THE EARL OF GUILDFORD



compliance with the pleasure of the court. An appeal against a decree of his had been brought before the lords in the former session; and it was not only reversed with many severe reflections on him that made it, but the earl of Nottingham, who hated him, because he had endeavoured to detract from his father's memory, had got together so many instances of his ill administration of justice, that he exposed him severely for it. And, it was believed, that gave the crisis to the uneasiness and distraction of mind he was labouring under. He languished for some time; and died despised, and ill thought of by the whole nation\*.

Nothing but his successor made him be remembered with regret: for Jeffreys had the seals. He had been made a peer while he was chief justice, which had not been done for some ages; but he affected to be an original in every thing. A day or two after the session was opened, the lords went upon the consideration of the king's speech; and, when some began to make remarks upon it, they were told, that by giving thanks for the speech, they had precluded themselves from finding fault with any part of it. This was rejected with indignation, and put an end to that compliment of giving thanks for a speech, when there was no special reason for it. The lords Halifax, Nottingham, and Mordaunt, were the chief arguers among the temporal lords. The bishop of London (Compton) spoke often likewise: and twice or thrice he said, he spoke not only his own sense, but the sense of that whole bench. They said, the Test was now the best fence they had for their religion: if they gave up so great a point, all the rest would soon follow; and if the king might by his authority supersede such a law, fortified with so many clauses, and above all with that of an incapacity, it was in vain to think of law any more: the government would become arbitrary and absolute. Jeffreys began to argue in his rough manner; but he was soon taken down; it appearing, that how furiously soever he raved on the bench, where he played the tyrant, yet where others might speak with him on equal terms, he was a very contemptible man: and he received as great a mortification, as such a brutal man was capable of.

But as the scene lay in the house of commons, so the debates there were more important. A project was offered for making the militia more useful in order to the disbanding the army. But, to oppose that, the court shewed, how great a danger we had lately escaped, and how much of an ill leaven yet remained in the nation, so that it was necessary a force should be kept up. The court moved for a subsidy, the king having been at much extraordinary charge in reducing the late rebellion. Many, that were resolved to assert the business of the Test with great firmness, thought, the voting of money first was the decentest way of managing the opposition to the court: whereas others opposed this, having often observed, that the voting of money was the giving up the whole session to the court. The court wrought on many weak men with this topic, that the only way to gain the king, and to dispose him to agree to them in the business of the Test, was to begin with the supply. This had so great an effect, that it was carried only by one vote to consider the king's speech, before they should proceed to the supply†. It was understood, that when they received satisfaction in other things, they were resolved to give five hundred thousand pounds.

They went next to consider the act about the Test, and the violations of it, with the king's speech upon that head. The reasoning was clear and full on the one hand. The court offered nothing on the other hand in the way of argument, but the danger of offending the king, and of raising a misunderstanding between him and them. So the whole house went unanimously into a vote for an address to the king, that he would maintain the laws, in particular that concerning the test. But with that they offered to pass a bill, for indemnifying those who had broken that law; and were ready to have considered them in the supply that they intended to give.

The king expressed his resentments of this with much vehemence, when the address was brought to him. He said, some men intended to disturb the good correspondence that was between him and them, which would be a great prejudice to the nation: he had declared

\* This is, *totis verbis*, differing from the character given the lord keeper in his "Life" by his brother, Mr. R. North.

† The Scotch earl of Middleton, then secretary of state, seeing many go out to vote against the court who were in its service, went down to the bar to reproach

them. "Sir," said he to Captain Kendal, "do you not command a troop of horse in his majesty's service?"—

"Yes, my lord," replied the captain; but my brother died last night, and has left me 700*l.* a year!" Mr. Speaker Onslow says he had this from his uncle, who was present.—Oxford ed.

his mind so positively in that matter, that he hoped they would not have meddled with it. Yet, he said, he would still observe all the promises that he had made. This made some reflect on the violations of the edict of Nantes, by many of the late edicts that were set out in France, before the last that repealed it, in which the king of France had always declared, that he would maintain that edict, even when the breaches made upon it were the most visible and notorious. The house, upon this rough answer, was in a high fermentation. Yet, when one Cook said, that they were Englishmen, and were not to be threatened, because this seemed to be a want of respect, they sent him to the Tower; and obliged him to ask pardon for those indecent words. But they resolved to insist on their address, and then to proceed upon the petitions concerning elections. And now those, that durst not open their mouth before, spoke with much force upon this head. They said, it was a point upon which the nation expected justice, and they had a right to claim it. And it was probable, they would have condemned a great many elections; for an intimation was set round, that all those who had stuck to the interest of the nation, in the main points then before them, should be chosen over again, though it should be found that their election was void, and that a new writ should go out. By this means those petitions were now encouraged, and were likely to have a fair hearing, and a just decision: and it was believed, that the abject courtiers would have been voted out.

The king saw that both houses were now so fixed, that he could carry nothing in either of them, unless he would depart from his speech, and let the act of the test take place. So he prorogued the parliament, and kept it by repeated prorogations still on foot for about a year and a half, but without holding a session. All those who had either spoken, or voted, for the test, were soon after this disgraced, and turned out of their places, though many of these had served the king hitherto with great obsequiousness, and much zeal. He called for many of them, and spoke to them very earnestly upon that subject in his closet: upon which the term of *closeling* was much tossed about. Many of these gave him very flat and hardy denials: others, though more silent, yet were no less steady: so that, when, after a long practice both of threatening and ill usage on the one hand, and of promises and corruption on the other, the king saw he could not bring them into a compliance with him, he at last dissolved the parliament; by which he threw off a body of men, that were in all other respects sure to him, and that would have accepted a very moderate satisfaction from him at any time. And, indeed, in all England it would not have been easy to have found five hundred men so weak, so poor, and so devoted to the court, as these were. So happily was the nation taken out of their hands by the precipitated violence of a bigoted court.

Soon after the prorogation, the lord Delamer was brought to his trial. Some witnesses swore high treason against him only upon report, that he had designed to make a rebellion in Cheshire, and to join with the duke of Monmouth. But, since those swore only upon hearsay, that was no evidence in law. One witness swore home against him, and against two other gentlemen, who, as he said, were in company with him; and that treasonable messages were then given to him by them all to carry to some others. That which gave the greatest credit to the evidence was, that this lord had gone from London secretly to Cheshire, at the time of the duke of Monmouth's landing, and that after he had stayed a day or two in that county, he had come up as secretly to London. This looked suspicious, and made it to be believed, that he went to try what could be done. The credit of that single witness was overthrown by many unquestionable proofs, by which it appeared that the two gentlemen, who he said met with that lord in Cheshire, were all that while still in London. The witness, to gain the more credit, had brought others into the plot, by the common fate of false swearers, who bring in such circumstances to support their evidence, as they think will make it more credible, but, being ill laid, give a handle to those concerned to find out their falsehood. And that was the case of this witness; for, though little doubt was made of the truth of that which he swore against this lord, as to the main of his evidence, yet he had added such a mixture of falsehood to it, as being fully proved, destroyed the evidence. As for the secret journey to, and again between London and Cheshire, that lord said, he had been long a prisoner in the Tower upon bare suspicion: he had no mind to be lodged again there; so he resolved in that time of jealousy to go out of the way: and hearing that a child, of

which he was very fond, was sick in Cheshire, he went thither: and hearing from his lady that his eldest son was very ill at London, he made haste back again. This was well proved by his physicians and domestics, though it was a thing of very ill appearance, that he made such journeys so quick and so secretly at such a time. The solicitor-general, Finch, pursuant to the doctrine he had maintained in former trials, and perhaps to atone for the zeal he had shewed in the house of commons, for maintaining the act of the test, made a violent declamation, to prove that one witness with presumptions was sufficient to convict one of high treason. The peers did unanimously acquit the lord; so that trial ended to the great joy of the whole town; which was now turned to be as much against the court, as it had been of late years for it. Finch had been continued in his employment only to lay the load of this judgment upon him; and he acted his part in it with his usual vehemence. He was presently after turned out: and Powis succeeded him, who was a compliant young aspiring lawyer, though in himself he was no ill-natured man. Now the posts in the law began to be again taken care of; for it was resolved to act a piece of pageantry in Westminster-Hall, with which the next year began.

Sir Edward Hales, a gentleman of a noble family in Kent, declared himself a papist, though he had long disguised it; and had once to myself so solemnly denied it, that I was led from thence to see, there was no credit to be given to that sort of men, where their church, or religion, was concerned. He had an employment; and not taking the test, his coachman was set up to inform against him, and to claim the 500*l.* that the law gave to the informer. When this was to be brought to trial, the judges were secretly asked their opinions; and such as were not clear, to judge as the court did direct, were turned out: and upon two, or three, canvassings the half of them were dismissed, and others of more pliable and obedient understandings were put in their places. Some of these were weak and ignorant to a scandal. The suit went on in a feeble prosecution; and in Trinity Term judgment was given.

There was a new chief justice found out, very different indeed from Jeffreys, sir Edward Herbert. He was a well bred and a virtuous man, generous, and good-natured. He was but an indifferent lawyer; and had gone to Ireland to find practice and preferment there. He unhappily got into a set of very high notions with relation to the king's prerogative. His gravity and virtues gave him great advantages, chiefly his succeeding such a monster as had gone before him. So he, being found to be a fit tool, was, without any application of his own, raised up all at once to this high post\*. After the coachman's cause had been argued with a most indecent coldness, by those who were made use of on design to expose and betray it, it was said, in favour of the prerogative, that the government of England was entirely in the king: that the crown was an imperial crown, the importance of which was, that it was absolute: all penal laws were powers lodged in the crown, to enable the king to force the execution of the law, but were not bars to limit, or bind up, the king's power: the king could pardon all offences against the law, and forgive the penalties; and why could not he as well dispense with them? Acts of parliament had been often superseded: the judges had sometimes given directions in their charges at circuits, to enquire after some acts of parliament no more; of which one late instance happened during the

\* Sir Edward Herbert, born about 1646, was a younger brother of admiral Herbert, who will be next mentioned. They were sons of sir Edward Herbert, knight, of London. He was of Winchester and New College. He took his bachelors's degree in arts, and then became a student of the Middle Temple. He was successively attorney-general in Ireland, and chief justice of Chester. In 1683 he was knighted, and made attorney to the duke of York, when sir John Churchill was promoted to the mastership of the rolls in the place of sir H. Grimstone. In 1685, he was promoted to the lord chief justiceship of the king's bench, and made a privy councillor. In 1686, he sat as one of the ecclesiastical commissioners. In the following year he was removed to be chief of the common pleas, because he would not interpret the law in the king's bench so as to take away the life of a soldier who deserted his colours upon Hounslow Heath. It is said that sir Robert Wright was promoted to his seat,

having promised to be more complying in shedding blood! —(Woolrych's Life of Jeffreys.) When James the Second abdicated, sir Edward followed him during his exile, and was made by the ex-monarch earl of Portland, and lord chancellor; consequently he was excepted out of the bill of indemnity. His conduct as detailed above shews that he was a mild, conscientious man. That he was fearless of offending the highest powers when his duty required it is further proved by his exposing Jeffreys upon the bench, by demonstrating his briberies and corruptions when in the west; which "extremely offended" the king.—(Singer's correspondence.) Sir Edward published "A short Account of the Authorities upon which judgment was given in sir Edward Hale's case." This was refuted in pamphlets by a Mr. Attwood, and sir Robert Atkins.—(Wood's *Athenæ Oxon.*) King William gave his estate to his brother, admiral Herbert.—Oxford edition of this work.

former reign: an act passed concerning the size of carts and waggons, with many penalties upon the transgressors; and yet, when it appeared that the model prescribed in the act was not practicable, the judges gave direction not to execute the act.

These were the arguments brought to support the king's dispensing power. In opposition to this it was said, though not at the bar, yet in the common discourse of the town, that if penalties did arise only by virtue of the king's proclamation, it was reasonable that the power of dispensing should be only in the king: but since the prerogative was both constituted and limited by law, and since penalties were imposed to force the observation of laws, that were necessary for the public safety, it was an overturning the whole government, and the changing it from a legal into a despotic form, to say that laws, made and declared not to be capable of being dispensed with, where one of the penalties was an incapacity, which by a maxim of law cannot be taken away, even by a pardon, should at the pleasure of the prince be dispensed with; a fine was also set by the act on offenders, but not given to the king, but to the informer, which thereby became his. So that the king could no more pardon that, than he could discharge the debts of the subjects, and take away property. Laws of small consequence, when a visible error not observed in making them was afterwards found out, like that of the size of carts, might well be superseded: for the intention of the legislature being the good of the subject, that is always to be presumed for the repeal of an impracticable law. But it was not reasonable to infer from thence, that a law made for the security of the government, with the most effectual clauses that could be contrived, on design to force the execution of it, even in bar to the power of the prerogative, should be made so precarious a thing, especially when it was so lately asserted with so much vigour by the representatives of the nation. It was said, that, though this was now only applied to one statute, yet the same force of reason would hold to annul all our laws: and the penalty being that which is the life of the law, the dispensing with penalties might soon be carried so far, as to dissolve the whole government: and the security that the subjects had were only from the laws, or rather from the penalties, since laws without these were feeble things, which tied men only according to their own discretion.

Thus was this matter tossed about in the arguments, with which all people's mouths were now filled: but judges, who are beforehand determined how to give their opinions, will not be much moved even by the strongest arguments. The ludicrous ones used on this occasion at the bar were rather a farce, fitter for a mock trial in a play, than such as became men of learning in so important a matter. Great expectations were raised, to hear with what arguments the judges would maintain the judgment that they should give. But they made nothing of it; and without any arguing gave judgment for the defendant, as if it had been in a cause of course.

Now the matter was as much settled, as a decision in the King's Bench could settle it. Yet so little regard had the chief justice's nearest friends to his opinion in this particular, that his brother, admiral Herbert, being pressed by the king to promise that he would vote the repeal of the test, answered the king very plainly, that he could not do it either in honour, or conscience. The king said, he knew he was a man of honour, but the rest of his life did not look like a man that had great regard to conscience. He answered boldly, he had his faults, but they were such, that other people, who talked more of conscience, were guilty of the like. He was indeed a man abandoned to luxury and vice. But, though he was poor, and had much to lose, having places to the value of 4000*l.* a year, he chose to lose them all rather than comply. This made much noise: for as he had a great reputation for his conduct in sea affairs, so he had been most passionately zealous in the king's service, from his first setting out to that day. It appeared by this, that no past services would be considered, if men were not resolved to comply in every thing. The door was now opened, so all regard to the test was laid aside. And all men that intended to recommend themselves took employments, and accepted of this dispensing power. This was done even by some of those who continued still protestants, though the far greater number of them continued to qualify themselves according to law\*.

\* Arthur Herbert, the admiral, who spoke so fearlessly to James, had been employed by Charles the Second at Tangier, and Algiers. He became an exile in Holland at the time his brother was trying the bishops. He will be noticed in future pages.—Noble.

Many of the papists, that were men of quiet or of fearful tempers, did not like these methods: they thought the priests went too fast, and the king was too eager in pursuing every thing that was suggested by them. One Peter, descended from a noble family, a man of no learning, nor any way famed for his virtue, but who made all up in boldness and zeal, was the jesuit of them all that seemed animated with the most courage. He had, during the popish plot, been introduced to the king, and had suggested things that shewed him a resolute and undertaking man. Upon that the king looked on him as the fittest man to be set at the head of his counsels. So he was now considered as the person who of all others had the greatest credit. He applied himself most to the earl of Sunderland, and was for some time chiefly directed by him\*.

The maxim that the king set up, and about which he entertained all that were about him, was, the great happiness of an universal toleration. On this the king used to enlarge in a great variety of topics. He said nothing was more reasonable, more christian, and more politic: and he reflected much on the church of England, for the severities with which dissenters had been treated. This, how true, or just, soever it might be, yet was strange doctrine in the mouth of a professed papist, and of a prince on whose account, and by whose direction, the church party had been, indeed, but too obsequiously, pushed on to that rigour. But, since the church party could not be brought to comply with the design of the court, applications were now made to the dissenters: and all on a sudden the churchmen were disgraced, and the dissenters were in high favour. Chief justice Herbert went the western circuit after Jeffreys's bloody one. And now all was grace and favour to them. Their former sufferings were much reflected on, and pitied. Every thing was offered that could alleviate their sufferings. Their teachers were now encouraged to set up their conventicles again, which had been discontinued, or held very secretly, for four or five years. Intimations were every where given, that the king would not have them, or their meetings to be disturbed. Some of them began to grow insolent upon this shew of favour; but wiser men among them saw through all this, and perceived the design of the papists was now, to set on the dissenters against the church, as much as they had formerly set the church against them: and therefore, though they returned to their conventicles, yet they had a just jealousy of the ill designs, that lay hid under all this sudden and unexpected shew of grace and kindness: and they took care not to provoke the church party.

Many of the clergy acted now a part that made good amends for past errors. They began to preach generally against popery, which the dissenters did not. They set themselves to study the points of controversy: and upon that there followed a great variety of small books, that were easily purchased and soon read. They examined all the points of popery with a solidity of judgment, a clearness of arguing, a depth of learning, and a vivacity of writing, far beyond any thing that had before that time appeared in our language. The truth is, they were very unequally yoked; for, if they are justly to be reckoned among the best writers that have yet appeared on the protestant side, those they wrote against were certainly among the weakest that had ever appeared on the popish side. Their books were poorly but insolently written; and had no other learning in them, but what was taken out of some French writers, which they put into very bad English; so that a victory over them need have been but by a mean performance.

This had a mighty effect on the whole nation; even those who could not search things to the bottom, yet were amazed at the great inequality that appeared in this engagement. The papists, who knew what service the bishop of Meaux's book had done in France, resolved to pursue the same method here in several treatises, which they entitled "Papists represented and misrepresented;" to which such clear answers were written, that what effect soever that artifice might have, where it was supported by the authority of a great king, and the terror of ill usage, and a dragoonade in conclusion, yet it succeeded so ill in England, that it

\* Father Edward Peters had some abilities, but these were completely rendered nugatory by his vanity, ambition, and rashness. It is evident from the Clarendon papers, that all the moderate statesmen of the period were opposed to him. Lords Clarendon, Nottingham, and others,

would not sit at the council board with him. He was James the Second's confessor. Frequent notices of him will occur in the following pages, and further information may be found in Dodd's Hist. of the English Church, Dalrymple's Memoirs, Clarendon Correspondence, &c.

gave occasion to enquire into the true opinions of that church, not as some artful writers had disguised them, but as they were laid down in the books that are of authority among them, such as the decisions of councils received among them, and their established *offices*, and as they are held at Rome, and in all those countries where popery prevails without any intermixture with heretics, or apprehension of them, as in Spain and Portugal. This was done in so authentic a manner, that popery itself was never so well understood by the nation, as it came to be upon this occasion.

The persons who both managed and directed this controversial war, were chiefly Tillotson, Stillingfleet, Tennison, and Patrick. Next them were Sherlock, Williams, Claget, Gee, Aldrich, Atterbury, Whitby, Hooper, and above all these, Wake, who having been long in France, chaplain to the lord Preston, brought over with him many curious discoveries, that were both useful and surprising. Besides the chief writers of those books of controversy, there were many sermons preached and printed on those heads, that did very much edify the whole nation. And this matter was managed with that concert, that for the most part once a week some new book, or sermon, came out, which both instructed, and animated, those who read them. There were but very few proselytes gained to popery ; and these were so inconsiderable, that they were rather a reproach than an honour to them. Walker, the head of University college \*, and five or six more at Oxford, declared themselves to be of that religion ; but with this brand of infamy, that they had continued for several years complying with the doctrine and worship of the church of England after they were reconciled to the church of Rome. The popish priests were enraged at this opposition made by the clergy, when they saw their religion so exposed, and themselves so much despised. They said, it was ill manners and want of duty to treat the king's religion with so much contempt.

It was resolved to proceed severely against some of the preachers, and to try if by that means they might intimidate the rest. Dr. Sharp was the rector of St. Giles's, and was both a very pious man, and one of the most popular preachers of the age, who had a peculiar talent of reading his sermons with much life and zeal. He received one day, as he was coming out of the pulpit, a paper sent him, as he believed, by a priest, containing a sort of challenge upon some points of controversy, touched by him in some of his sermons. Upon this, he, not knowing to whom he should send an answer, preached a sermon in answer to it ; and, after he had confuted it, he concluded shewing how unreasonable it was for protestants to change their religion on such grounds. This was carried to court, and represented there, as a reflection on the king for changing on those grounds.

The information, as to the words pretended to be spoken by Sharp, was false, as he himself assured me ; but, without enquiring into that, the earl of Sunderland sent an order to the bishop of London (Compton), in the king's name, requiring him to suspend Sharp immediately, and then to examine the matter. The bishop answered, that he had no power to proceed in such a summary way ; but, if an accusation were brought into his court in a regular way, he would proceed to such a censure, as could be warranted by the ecclesiastical law : yet, he said, he would do that which was in his power, and should be upon the matter a suspension ; for he desired Sharp to abstain from officiating, till the matter should be better understood. But to lay such a censure on a clergyman, as a suspension, without proof, in a judiciary proceeding, was contrary both to law and justice. Sharp went to court to shew the notes of his sermon, which he was ready to swear were those from which he had read it, by which the falsehood of the information would appear. But, since he was not suspended, he was not admitted. Yet he was let alone ; and it was resolved to proceed against the bishop of London for contempt.

Jeffreys was much sunk at court, and Herbert was the most in favour. But now Jeffreys, to recommend himself, offered a bold and illegal advice, for setting up an ecclesiastical commission, without calling it the high commission, pretending it was only a standing court of delegates. The act that put down the high commission in the year 1640 had provided by a clause, as full as could be conceived, that no court should be ever set up for those matters,

\* This was Dr. Obadiah Walker; see an account of him in Wood's *Athenæ Oxon.*

besides the ordinary ecclesiastical courts. Yet, in contempt of that, a court was erected, with full power to proceed in a summary and arbitrary way in all ecclesiastical matters, without limitations to any rule of law in their proceedings. This stretch of the supremacy, so contrary to law, was assumed by a king, whose religion made him condemn all that supremacy, that the law had vested in the crown.

The persons with whom this power was lodged, were the archbishop of Canterbury (Sancroft), and the bishops of Duresme (Crew), and Rochester (Sprat), and the lord chancellor, the lord treasurer (Rochester), and lord chief justice (Herbert), the lord chancellor being made president in the court “ *sine quo non* ;” for they would trust this to no other management. The bishop of London was marked out to be the first sacrifice. Sancroft lay silent at Lambeth. He seemed zealous against popery in private discourse ; but he was of such a timorous temper, and so set on the enriching his nephew, that he shewed no sort of courage. He would not go to this court when it was first opened, and declare against it, and give his reasons why he could not sit and act in it, judging it to be against law : but he contented himself with his not going to it. The other two bishops were more compliant. Duresme was lifted up with it, and said, now his name would be recorded in history : and when some of his friends represented to him the danger of acting in a court so illegally constituted, he said, he could not live if he should lose the king’s gracious smiles ; so low, and so fawning was he\*. Dolben, archbishop of York, died this year. So, as Sprat had succeeded him in Rochester, he had some hopes let fall of succeeding likewise in York : but the court had laid it down for a maxim, to keep all the great sees, that should become vacant, still empty, till they might fill them to their own mind : so he was mistaken in his expectations, if he ever had them.

The bishop of London was the first person that was summoned to appear before this new court. He was attended by many persons of great quality, which gave a new offence : and the lord chancellor treated him in that brutal way, that was now become as it were natural to him. The bishop said, here was a new court of which he knew nothing : so he desired a copy of the commission that authorised them. And after he had drawn out the matters by delays for some time, hoping that the king might accept of some general and respectful submission, and so let the matter fall ; at last he came to make his defence, all secret methods to divert the storm prving ineffectual. The first part of it was an exception to the authority of the court, as being not only founded on no law, but contrary to the express words of the act of parliament, that put down the high commission. Yet this point was rather insinuated, than urged with the force that might have been used ; for it was said, that, if the bishop should insist too much on that, it would draw a much heavier measure of indignation on him ; therefore it was rather opened, and modestly represented to the court, than strongly argued. But it may be easily believed, that those who sat by virtue of this illegal commission would maintain their own authority. The other part of the bishop of London’s plea was, that he had obeyed the king’s orders, as far as he legally could ; for he had obliged Dr. Sharp to act as a man that was suspended ; but that he could not lay an ecclesiastical censure on any of his clergy without a process, and articles, and some proof brought. This was justified by the constant practice of the ecclesiastical courts, and by the judgment of all lawyers. But arguments, how strong soever, are feeble things, when a sentence is resolved on before the cause is heard. So it was proposed, that he should be suspended during the king’s pleasure. The lord chancellor, and the poor-spirited bishop of Duresme were for this : but the earl and bishop of Rochester, and the lord chief justice Herbert, were for acquitting him. There was not so much as a colour of law to support the sentence ; so none could be given.

\* Of this prelate, Dr. Nathaniel Crew, it is unnecessary to relate more than is told in his epitaph ; for he was a base-spirited, fawning, vain, ambitious truckler to the higher powers ; who bought his preferment by a bribe of some thousands to Nell Gwyn, and whose charities were not bestowed until the last days of his existence. If more full particulars are required, they will be found in the *Biographia Britannica*, by Dr. Kippis, Wood’s *Athenæ Oxon*, and Hutchinson’s *Hist. of Durham*. His epi-

taph, in Stene chapel, Northamptonshire, is as follows ;— “ Near this place lieth the body of the right reverend, and right honourable Nathaniel, Lord Crew, lord bishop of Durham, and baron Stene, fifth son of John Lord Crew. He was born Jan. 31, 1633 ; was consecrated bishop of Oxford, 1671 : translated to Durham in 1674 ; was clerk of the closet, and privy councillor in the reigns of king Charles the Second, and king James the Second, and died Sept. 18, 1721, aged eighty-eight ”

But the king was resolved to carry this point, and spoke roundly about it to the earl of Rochester. He saw he must either concur in the sentence, or part with the white staff. So he yielded. And the bishop was suspended *ab officio*. They did not think fit to meddle with his revenues. For the lawyers had settled that point, that benefices were of the nature of freeholds. So, if the sentence had gone to the temporalities, the bishop would have had the matter tried over again in the king's bench, where he was likely to find good justice, Herbert not being satisfied with the legality and justice of the sentence. While this matter was in dependence, the princess of Orange thought it became her, to interpose a little in the bishop's favour. He had confirmed, and married her. So she wrote to the king, earnestly begging him to be gentle to the bishop, who she could not think would offend willingly. She also wrote to the bishop, expressing the great share she took in the trouble he was fallen into. The prince wrote to him to the same purpose. The king wrote an answer to the princess, reflecting severely on the bishop, not without some sharpness on her for meddling in such matters; yet the court seemed uneasy, when they saw they had gained so poor a victory; for now the bishop was more considered than ever. His clergy, for all the suspension, were really more governed by the secret intimations of his pleasure, than they had been by his authority before. So they resolved to come off as well as they could. Dr. Sharp was admitted to offer a general petition, importuning how sorry he was, to find himself under the king's displeasure: upon which he was dismissed with a gentle reprimand, and suffered to return to the exercise of his function. According to the form of the ecclesiastical courts, a person under such a suspension must make a submission within six months; otherwise he may be proceeded against as obstinate. So, six months after the sentence, the bishop sent a petition to the king, desiring to be restored to the exercise of his episcopal function. But he made no acknowledgment of any fault: so this had no other effect, but that it stopped all further proceedings; only the suspension lay still on him. I have laid all this matter together, though the progress of it ran into the year eighty-seven.

Affairs in Scotland went on much at the same rate as they did in England. Some few proselytes were gained; but as they were very few, so they could do little service to the side to which they joined themselves. The earl of Perth prevailed with his lady, as she was dying, to change her religion: and in a very few weeks after her death he married very indecently a sister of the duke of Gordon's. They were first cousins; and yet, without staying for a dispensation from Rome, they ventured on a marriage, upon the assurances that they said their confessor gave them, that it would be easily obtained. But Pope Innocent was a stiff man, and did not grant those things easily: so that cardinal Howard could not at first obtain it. The pope said, these were strange converts, that would venture on such a thing without first obtaining a dispensation. The cardinal pretended, that new converts did not so soon understand the laws of the church; but he laid before the pope the ill consequences of offending converts of such importance. So he prevailed at last, not without great difficulty. The earl of Perth set up a private chapel in the court for mass, which was not kept so private, but that many frequented it.

The town of Edinburgh was much alarmed at this; and the rabble broke in with such fury, that they defaced every thing in the chapel: and if the earl of Perth had not been conveyed away in disguise, he had very probably fallen a sacrifice to popular rage. The guards upon the alarm came, and dispersed the rabble: some were taken; and one that was a ring-leader in the tumult was executed for it. When he was at the place of execution, he told one of the ministers of the town, that was with him assisting him with his prayers, that he was offered his life, if he would accuse the duke of Queensborough as the person that had set on the tumult, but he would not save his life by so false a calumny. Mr. Macom, the minister, was an honest but weak man. So, when the criminal charged him to make this discovery, he did not call any of those who were present to bear witness of it: but in the simplicity of his heart he went from the execution to the archbishop of St. Andrews, and told him what had passed. The archbishop acquainted the duke of Queensborough with it: and he wrote to court, and complained of it. The king ordered the matter to be examined. So the poor minister, having no witness to attest what the criminal had said to him, was declared the forger of that calumny: and upon that he was turned out. But how severely soever

those in authority may handle a poor incautious man, yet the public is apt to judge true. And, in this case, as the minister's weakness and misfortune was pitied, so the earl of Perth's malice and treachery was as much detested.

In summer this year, the earl of Murray, another new convert, was sent the king's commissioner to hold a parliament in Scotland, and to try if it would be more compliant than the English parliament had been. The king did by his letter recommend to them, in very earnest words, the taking off all penal laws and tests relating to religion. And all possible methods were used to prevail on a majority. But two accidents happened before the opening of the parliament, which made great impression on the minds of many.

Whitford, son to one of their bishops before the wars, had turned papist. He was the person that killed Darislaus in Holland; and, that he might get out of Cromwell's reach, he had gone into the duke of Savoy's service, and was there when the last massacre was committed on the Vaudois. He had committed many barbarous murders with his own hands, and had a small pension given him after the restoration. He died a few days before the parliament met; and called for some ministers, and to them declared his forsaking of popery, and his abhorrence of it for its cruelty. He said, he had been guilty of some execrable murders in Piedmont, both of women and children, which had pursued him with an intolerable horror of mind ever after. He had gone to priests of all sorts, the strictest as well as the easiest, and they had justified him in what he had done, and had given him absolution. But his conscience pursued him so, that he died as in despair, crying out against that bloody religion.

The other was more solemn. Sir Robert Sibbald, a doctor of physic, and the most learned antiquary in Scotland, who had lived in a course of philosophical virtue, but in great doubts as to revealed religion, was prevailed on by the earl of Perth to turn papist, in hopes to find that certainty among them, which he could not arrive at upon his own principles. But he had no sooner done this, than he began to be ashamed, that he had made such a step upon so little enquiry. So he went to London, and retired for some months from all company, and went into a deep course of study, by which he came to see into the errors of popery, with so full a conviction, that he came down to Scotland some weeks before the parliament, and could not be at quiet till he had published his recantation openly in a church. The bishop of Edinburgh was so much a courtier, that, apprehending many might go to hear it, and that it might give offence at court, he sent him to do it in a church in the country. But the recantation of so learned a man, upon so much study, had a great effect upon many\*.

Rosse and Paterson, the two governing bishops, resolved to let the king see how compliant they would be. And they procured an address to be signed by several of their bench, offering to concur with the king in all that he desired, with relation to those of his own religion, (for the courtly style now was not to name popery any other way than by calling it the king's religion) provided the laws might still continue in force and be executed against the presbyterians. With this Paterson was sent up. He communicated the matter to the earl of Middleton, who advised him never to shew that paper; it would be made use of against them, and render them odious: and the king and all his priests were so sensible, that it was an indecent thing for them to pretend to any special favour, that they were resolved to move for nothing but a general toleration. And so he persuaded him to go back without presenting it. This was told me by one who had it from the earl himself.

When the session of parliament was opened, duke Hamilton was silent in the debate. He promised he would not oppose the motion; but he would not be active to promote it. The duke of Queensborough was also silent; but the king was made believe that he managed the opposition under hand. Rosse and Paterson did so entirely forget what became their characters, that they used their utmost endeavours to persuade the parliament to comply with the king's desire. The archbishop of Glasgow opposed it, but fearfully. The bishop of Dunkeld, Bruce, did it openly and resolutely; and so did the bishop of Galloway. The rest were silent, but were resolved to vote for the continuance of the laws. Such was the meanness of most of the nobility, and of the other members, that few did hope that a resist-

\* Sir Robert Sibbald published several works relative to the history of Scotland. He died about 1621. Charles the Second patronized him.—Gen. Biog. Dict.

ance to the court could be maintained. Yet the parliament would consent to nothing, further than to a suspension of those laws during the king's life. The king despised this: so the session was put off, and the parliament was quickly dissolved. And, soon after that, both the archbishop of Glasgow and the bishop of Dunkeld were turned out, by an express command from the king. And Paterson was made archbishop of Glasgow. And one Hamilton, noted for profaneness and impiety, that sometimes broke out into blasphemy, was made bishop of Dunkeld. No reason was assigned for turning out those bishops, but the king's pleasure.

The nation, which was become very corrupt, and both ignorant and insensible in the matters of religion, began now to return to its old zeal against popery. Few proselytes were made after this. The episcopal clergy were in many places so sunk into sloth and ignorance, that they were not capable of conducting this zeal. Some of them about Edinburgh, and in divers other places, began to mind those matters, and recovered some degrees of credit by the opposition they made to popery. But the presbyterians, though they were now freed from the great severities they had long smarted under, yet expressed on all occasions their unconquerable aversion to popery. So the court was soon convinced, that they were not to be depended on.

But, what opposition soever the king met with in the isle of Britain, things went on more to his mind in Ireland. The earl of Clarendon, upon his first coming over, gave public and positive assurances that the king would maintain their act of settlement. This he did very often, and very solemnly; and proceeded accordingly. In the mean while the earl of Tirconnel went on more roundly. He not only put Irish papists into such posts in the army as became void, but upon the slightest pretences he broke the English protestant officers, to make room for the others: and in conclusion, without so much as pretending a colour for it, he turned them all out. And now an army, paid by virtue of the act of settlement to secure it, was wrested out of legal hands, and put in the hands of those who were engaged, both in religion and interest, to destroy the settlement, and those concerned in it; which was too gross a violation of law to be in any sort palliated. So the English protestants of Ireland looked on themselves as at mercy, since the army was now made up of their enemies. And all that the lord lieutenant, or the lord chancellor could say, did not quiet their fears: good words could not give security against such deeds as they saw every day. Upon this the earl of Clarendon, and the earl of Tirconnel, fell into perpetual jarrings, and were making such complaints one of another, that the king resolved to put an end to those disorders by recalling both the earl of Clarendon and Porter. He made the earl of Tirconnel lord lieutenant, and Fitton lord chancellor, who were both not only professed but zealous papists. Fitton knew no other law but the king's pleasure \*.

This struck all people there with great terror, when a man of Tirconnel's temper, so entirely trusted and depended on by the Irish, capable of the boldest undertakings, and of the cruelest execution, had now the government put so entirely in his hands. The papists of England either dissembled very artificially, or they were much troubled at this, which gave so great an alarm every where. It was visible, that father Peter, and the Jesuits, were resolved to engage the king so far, that matters should be put past all retreating and compounding; that so the king might think no more of governing by parliament, but by a military force; and, if that should not stick firm to him, by assistance from France, and by an Irish army.

An accident happened at this time, that gave the queen great offence, and put the priests much out of countenance. The king continued to go still to Mrs. Sedley; and she gained so much on him, that at last she prevailed to be made countess of Dorchester. As soon as the queen heard of this, she gave order to bring all the priests that were admitted to a particular confidence, into her closet. And, when she had them about her, she sent to desire the

\* Sir Alexander Fitton is thus mentioned by archbishop King. "He was detected of forgery, not only at Westminster and Chester, but likewise fined by the house of lords in parliament; he was brought out of gaol, and set in the highest court of the kingdom to keep the king's

conscience, though he wanted law and natural capacity, as well as honesty and courage, to discharge such a trust; and had no other quality to recommend him, besides being a converted papist; that is, a renegade to his religion and his country."—State of the Protestants in Ireland.

king to come and speak to her. When he came, he was surprised to see such a company about her, but much more when they fell all on their knees before him. And the queen broke out into a bitter mourning for this new honour, which they expected would be followed with the setting her up openly as mistress. The queen was then in an ill habit of body, and had an illness that, as was thought, would end in a consumption. And it was believed that her sickness was of such a nature, that it gave a very melancholy presage, that, if she should live, she could have no children. The priests said to the king, that a blemish in his life blasted their designs; and the more it appeared, and the longer it was continued, the more ineffectual all their endeavours would prove. The king was much moved with this, and was out of countenance for what he had done. But to quiet them all, he promised them, that he would see the lady no more; and pretended, that he gave her this title in order to the breaking with her the more decently. And, when the queen did not seem to believe this, he promised that he would send her to Ireland, which was done accordingly: but after a stay there for some months, she came over again; and that ill commerce was still continued. The priests were no doubt the more apprehensive of this, because she was bold and lively, and was always treating them and their proceedings with great contempt\*.

The court was now much set on making of converts, which failed in most instances, and produced repartees, that, whether true or false, were much repeated, and were heard with great satisfaction.

The earl of Mulgrave was lord chamberlain. He was apt to comply in every thing that he thought might be acceptable; for he went with the king to mass, and kneeled at it; and, being looked on as indifferent to all religions, the priests made an attack on him. He heard them gravely arguing for transubstantiation. He told them, he was willing to receive instruction: he had taken much pains to bring himself to believe in God, who had made the world and all men in it; but it must not be an ordinary force of argument that could make him believe that man was quits with God, and made God again.

The earl of Middleton had married into a popish family, and was a man of great parts and a generous temper, but of loose principles in religion. So a priest was sent to instruct him. He began with transubstantiation, of which he said he would convince him immediately: and began thus, "You believe the Trinity." Middleton stopped him, and said, "Who told you so?" At which he seemed amazed. So the earl said, he expected he should convince him of his belief, but not question him of his own. With this the priest was so disordered, that he could proceed no further. One day the king gave the duke of Norfolk the sword of state to carry before him to the chapel; and he stood at the door. Upon which the king said to him, "My lord, your father would have gone further:" to which the duke answered, "Your majesty's father was the better man, and he would not have gone so far." Kirk was also spoken to, to change his religion; and replied briskly, that he was already pre-engaged, for he had promised the king of Morocco, that if ever he changed his religion, he would turn Mahometan.

But the person that was the most considered, was the earl of Rochester. He told me, that upon the duke of Monmouth's defeat, the king did so immediately turn to other measures, that, though before that the king talked to him of all his affairs with great freedom, and commonly every morning of the business that was to be done that day; yet the very day after the duke's execution the king changed his method, and never talked more to him of any

\* Catherine Sedley was more distinguished for her wit and taste than for her beauty. Charles the Second once declared he thought his brother's mistresses were given to him by his confessor as penance. She was the daughter of Sir Charles Sedley, noticed in a previous page. The priests at length prevailed, and she was ordered to retire into France, or her pension of 4,000*l.* would cease.—(Reresby's Memoirs.) Her daughter by the king married the earl of Anglesea, and the duke of Buckingham. In the reign of William, the countess of Dorchester having returned to England, married the earl of Portmore. She continued to correspond with the exiled king; and her letters being intercepted, she was in danger of an impeach-  
ment. She died in 1717.—(Singer's Clarendon Correspondence; Dalrymple's Memoirs; Grainger.) She had more wit than discretion. Meeting the duchess of Portsmouth and lady Orkney in the palace of George the First, she exclaimed, "Who would have thought we three w—s should meet here?" Speaking of some others of James the Second's favourites, she said, "Why does he choose us? we are none of us handsome; and if we have wit, he has not enough to find it out." To her two sons by the earl of Portmore, she observed, "If any body should call you sons of a w—e, you must bear it, for you are so; but if they call you bastards, fight till you die, for you are an honest man's sons."—Noble's History.

business, but what concerned the treasury : so that he saw he had now no more the root he formerly had. He was looked on as so much united to the clergy, that the papists were all set against him. He had, in a want of money, procured a considerable loan, by which he was kept in his post longer than was intended. At last, as he related the matter to me, the king spoke to him, and desired he would suffer himself to be instructed in religion. He answered, he was fully satisfied about his religion : but upon the king's pressing it, that he would hear his priests, he said, he desired then to have some of the English clergy present, to which the king consented ; only he excepted to Tillotson and Stillingfleet. Lord Rochester said, he would take those who should happen to be in waiting ; for the forms of the chapel were still kept up. And doctor Patrick and Jane were the men. Upon this a day was set for the conference.

But his enemies had another story. He had notice given him, that he would shortly lose the white staff : upon which his lady, who was then sick, wrote to the queen, and begged she would honour her so far as to come, and let her have some discourse with her. The queen came, and stayed above two hours with her. She complained of the ill offices that were done them. The queen said, all the protestants were now turning against them, so that they knew not how they could trust any of them. Upon which that lady said, her lord was not so wedded to any opinion, as not to be ready to be better instructed. And it was said, that this gave the rise to the king's proposing a conference ; for it has been observed to be a common method of making proselytes with the more pomp, to propose a conference : but this was generally done, after they were well assured, that, let the conference go which way it might, the person's decision for whom it was appointed should be on their side. The earl denied he knew any thing of all this to me : and his lady died not long after. It was further said by his enemies, that the day before the conference he had an advertisement from a sure hand, that nothing he could do would maintain him in his post, and that the king had engaged himself to put the treasury in commission, and to bring some of the popish lords into it. Patrick told me, that at the conference there was no occasion for them to say much.

The priests began the attack ; and, when they had done, the earl said, if they had nothing stronger to urge, he would not trouble those learned gentlemen to say any thing ; for he was sure he could answer all that he had heard. And so answered it all with much heat and spirit, not without some scorn, saying, were these grounds to persuade men to change their religion ? This he urged over and over again with great vehemence. The king, seeing in what temper he was, broke off the conference, charging all that were present to say nothing of it \*.

Soon after that he lost his white staff, but had a pension of 4,000*l.* a year for his own life and his son's, besides his grant upon the lord Grey, and another valued at 20,000*l.* So here were great regards had to him : no place having ever been sold, even by a person in favour, to such advantage. The sum that he had procured to be lent the king being 400,000*l.*, and it being all ordered to go towards the repair of the fleet, this began to be much talked of. The stores were very ill furnished ; and the vessels themselves were in decay. But now orders were given, with great dispatch to put the whole fleet in condition to go to sea, though the king was then in full peace with all his neighbours. Such preparations seemed to be made upon some great design.

The priests said every where, but chiefly at Rome, that the design was against the States ; and that both France and England would make war on them all of the sudden ; for it was generally known that the Dutch fleet was in no good condition. The interests of France, and of the priests, made this to be the more easily believed. The embroiling the king with the prince of Orange was that which the French desired above all other things, hoping that such a war, being successful, might put the king on excluding the prince from the succession to the crown in the right of his wife, which was the thing that both the French, and priests, desired most ; for they saw that, unless the queen had a son, all their designs must stand still at present, and turn abortive in conclusion, as long as the nation had such a successor in view.

\* The "Memoirs of king James" say that this conference was an artifice of lord Sunderland's to get Rochester discharged. This and the particulars of other conferences upon the same subject, are in Singer's Clarendon Correspondence.

This carries me now to open the state of affairs in Holland, and at the prince of Orange's court. I must first say somewhat of myself: for this summer, after I had rambled above a year, I came into Holland. I stayed three, or four, months in Geneva, and Switzerland, after I came out of Italy. I stayed also some time among the Lutherans at Strasburg and Franckfort, and among the Calvinists at Heidleberg. Besides the further opportunities I had to know their way in Holland, I made it my business to observe all their methods, and to know all the eminent men among them. I saw the churches of France in their best state, while they were every day looking when this dreadful storm should break out, which has scattered them up and down the world. I was all the winter at Geneva, where we had constantly fresh stories brought us of the miseries of those who were suffering in France. Refugees were coming over every day, poor and naked, and half starved before they got thither. And that small state was under great apprehensions of being swallowed up, having no strength of their own, and being justly afraid that those at Bern would grow weary of defending them, if they should be vigorously attacked. The rest of Switzerland was not in such imminent danger: but, as they were full of refugees, and all sermons and discourses were much upon the persecution in France, so Basil was exposed in such manner, that the French could possess themselves of it when they pleased, without the least resistance. Those of Strasburg, as they have already lost their liberty, so they were every day looking for some fatal edict, like that which the French had fallen under. The churches of the Palatinat, as they are now the frontier of the empire, exposed to be destroyed by every new war, so they are fallen into the hands of a bigoted family. All the other churches on the Rhine see how near they are to ruin. And as the United Provinces were a few years before this very near being swallowed up, so they were now well assured that two great kings designed to ruin them.

Under so cloudy a prospect it should be expected, that a spirit of true devotion and of a real reformation should appear more, both among the clergy and laity; that they should all apprehend that God was highly offended with them, and was therefore punishing some, and threatening others, in a most unusual manner. It might have been expected, that those unhappy contests between Lutherans and Calvinists, Arminians, and anti-Arminians, with some minuter disputes that have enflamed Geneva and Switzerland, should have been at least suspended, while they had a common enemy to deal with, against whom their whole force united was scarce able to stand. But these things were carried on rather with more eagerness, and sharpness, than ever. It is true, there has appeared much of a primitive charity towards the French refugees; they have been in all places well received, kindly treated, and bountifully supplied. Yet even among them there did not appear a spirit of piety and devotion suitable to their condition: though persons who have willingly suffered the loss of all things, and have forsaken their country, their houses, estates, and their friends, and some of them their nearest relations, rather than sin against their consciences, must be believed to have a deeper principle in them, than can well be observed by others.

I was indeed amazed at the labours and learning of the ministers among the reformed. They understood the scriptures well in the original tongues: they had all the points of controversy very ready, and did thoroughly understand the whole body of divinity. In many places they preached every day, and were almost constantly employed in visiting their flock. But they performed their devotions but slightly, and read their prayers, which were too long, with great precipitation and little zeal. Their sermons were too long and too dry: and they were so strict, even to jealousy, in the smallest points in which they put orthodoxy, that one who could not go into all their notions, but was resolved not to quarrel with them, could not converse much with them with any freedom. I have, upon all the observation that I have made, often considered the inward state of the reformation, and the decay of the vitals of Christianity in it, as that which gives more melancholy impressions than all the outward dangers that surround it.

In England things were much changed, with relation to the court, in the compass of a year. The terror all people were under from an ill chosen, and an ill constituted, parliament, was now almost over; and the clergy were come to their wits, and were beginning to recover their reputation. The nation was like to prove much firmer than could have been expected, especially in so short a time. Yet after all, though many were like to prove themselves

better protestants than was looked for, they were not become much better Christians ; and few were turning to a stricter course of life : nor were the clergy more diligent in their labours among their people, in which respect it must be confessed that the English clergy are the most remiss of any. The curates in popery, besides their saying mass every day, their exactness to their breviary, their attending on confessions and the multiplicity of offices to which they are obliged, do so labour in instructing the youth, and visiting the sick, that, in all the places in which I could observe them, it seemed to be the constant employment of their lives : and in the foreign churches, though the labours of the ministers may seem mean, yet they are perpetually in them. All these things lay so much on my thoughts, that I was resolved to retire into some private place, and to spend the rest of my life in a course of stricter piety and devotion, and in writing such books, as the state of matters with relation to religion should call for, whether in points of speculation or practice. All my friends advised my coming near England, that I might be easier sent to, and informed of all our affairs, and might accordingly employ my thoughts and time. So I came down the Rhine this summer, and was resolved to have settled in Groning or Friezeland.

When I came to Utrecht, I found letters written to me by some of the prince of Orange's court, desiring me to come first to the Hague, and wait on the prince and princess, before I should settle any where. Upon my coming to the Hague, I was admitted to wait on them. I found they had received such characters of me from England, that they resolved to treat me with great confidence ; for, at my first being with them, they entered into much free discourse with me concerning the affairs of England. The prince, though naturally cold and reserved, yet laid aside a great deal of that with me. He seemed highly dissatisfied with the king's conduct. He apprehended that he would give such jealousies of himself, and come under such jealousies from his people, that these would throw him into a French management, and engage him into such desperate designs as would force violent remedies. There was a gravity in his whole deportment that struck me. He seemed very regardless of himself, and not apt to suspect designs upon his person. But I had learned somewhat of the design of a brutal Savoyard, who was capable of the blackest things, and who for a foul murder had fled into the territory of Geneva, where he lay hid in a very worthy family, to whom he had done some services before. He had formed a scheme of seizing on the prince, who used to go in his chariot often on the sands near Scheveling, with but one person with him, and a page or two on the chariot. So he offered to go in a small vessel of twenty guns, that should lie at some distance at sea, and to land in a boat with seven persons besides himself, and to seize on the prince, and bring him aboard, and so to France. This he wrote to M. de Louvoy, who upon that wrote to him to come to Paris, and ordered money for his journey. He, being a talking man, spoke of this, and shewed M. de Louvoy's letter, and the copy of his own : and he went presently to Paris. This was brought me by Mr. Fatio, the celebrated mathematician, in whose father's house that person had lodged. When I told the prince this, and had Mr. Fatio at the Hague to attest it, he was not much moved at it. The princess was more apprehensive ; and by her direction I acquainted Mr. Fagel, and some others of the States, with it, who were convinced that the thing was practicable. And so the States desired the prince to suffer himself to be constantly attended on by a guard when he went abroad, with which he was not without some difficulty brought to comply. I fancied his belief of predestination made him more adventurous than was necessary. But he said as to that, he firmly believed a providence ; for if he should let that go, all his religion would be much shaken ; and he did not see how providence could be certain, if all things did not arise out of the absolute will of God. I found those who had the charge of his education, had taken more care to possess him with the Calvinistical notions of absolute decrees, than to guard him against the ill effects of those opinions in practice : for in Holland the main thing the ministers infuse into their people, is an abhorrence of the Arminian doctrine, which spreads so much there, that their jealousies of it make them look after that, more than after the most important matters.

The prince had been much neglected in his education ; for all his life long he hated constraint. He spoke little. He put on some appearance of application ; but he hated business of all sorts ; yet he hated talking, and all house games more. This put him on a perpetual

course of hunting, to which he seemed to give himself up, beyond any man I ever knew : but I looked on that always as a flying from company and business. The depression of France was the governing passion of his whole life. He had no vice, but of one sort, in which he was very cautious and secret. He had a way that was affable and obliging to the Dutch ; but he could not bring himself to comply enough with the temper of the English, his coldness and slowness being very contrary to the genius of the nation.

The princess possessed all that conversed with her with admiration. Her person was majestic and created respect. She had great knowledge, with a true understanding, and a noble expression. There was a sweetness in her deportment that charmed, and an exactness in piety and virtue that made her a pattern to all that saw her. The king gave her no appointments to support the dignity of a king's daughter ; nor did he send her any presents, or jewels, which was thought a very indecent, and certainly was a very ill-advised thing. For the settling an allowance for her and the prince would have given such a jealousy of them, that the English would have apprehended a secret correspondence and confidence between them ; and the not doing it shewed the contrary very evidently. But, though the prince did not increase her court and state upon this additional dignity, she managed her privy purse so well, that she became eminent in her charities : and the good grace with which she bestowed favours did always increase their value. She had read much, both in history and divinity. And when a course of humours in her eyes forced her from that, she set herself to work with such a constant diligence, that she made the ladies about her ashamed to be idle. She knew little of our affairs till I was admitted to wait on her. And I began to lay before her the state of our court, and the intrigues in it, ever since the restoration ; which she received with great satisfaction, and shewed true judgment, and a good mind, in all the reflections that she made. I will only mention one in this place : she asked me, what had sharpened the king so much against Mr. Jurieu, the most copious, and the most zealous writer of the age, who wrote with great vivacity as well as learning. I told her, he mixed all his books with a most virulent acrimony of style, and among other things he had written with great indecency of Mary Queen of Scots, which cast reflections on them that were descended from her ; and was not very decent in one, that desired to be considered as zealous for the prince and herself. She said, Jurieu was to support the cause that he defended, and to expose those that persecuted it, in the best way he could. And, if what he said of Mary Queen of Scots was true, he was not to be blamed, who made that use of it : and, she added, that if princes would do ill things, they must expect that the world will take revenges on their memory, since they cannot reach their persons : that was but a small suffering, far short of what others suffered at their hands. So far I have given the character of those persons, as it appeared to me upon my first admittance to them. I shall have occasion to say much more of them in the sequel of this work.

I found the prince was resolved to make use of me. He told me it would not be convenient for me to live any where but at the Hague ; for none of the outlawed persons came thither. So I would keep myself, by staying there, out of the danger that I might legally incur by conversing with them, which would be unavoidable if I lived any where else. He also recommended me both to Fagel, Dykvelt, and Halewyn's confidence, with whom he chiefly consulted. I had a mind to see a little into the prince's notions, before I should engage myself deeper into his service. I was afraid lest his struggle with the Louvestein party, as they were called, might have given him a jealousy of liberty and of a free government. He assured me, it was quite the contrary : nothing but such a constitution could resist a powerful aggressor long, or have the credit that was necessary to raise such sums, as a great war might require. He condemned all the late proceedings in England, with relation to the charters, and expressed his sense of a legal and limited authority very fully. I told him, I was such a friend to liberty, that I could not be satisfied with the point of religion alone, unless it was accompanied with the securities of law. I asked his senses of the church of England. He said, he liked our worship well, and our government in the church, as much better than parity ; but he blamed our condemning the foreign churches, as he had observed some of our divines did. I told him, whatever some hotter men might say, all were not of that mind. When he found I was in my opinion for tolera-

tion, he said, that was all he would ever desire to bring us to, for quieting our contentions at home. He also promised to me, that he should never be prevailed with to set up the Calvinistical notions of the decrees of God, to which I did imagine some might drive him. He wished some of our ceremonies, such as the surplice and the cross in baptism, with our bowing to the altar, might be laid aside. I thought it necessary to enter with him into all these particulars, that so I might be furnished from his own mouth, to give a full account of his sense to some in England, who would expect it of me, and were disposed to believe what I should assure them of. This discourse was of some hours' continuance: and it passed in the princess's presence. Great notice came to be taken of the free access and long conferences I had with them both. I told him, it was necessary for his service, to put the fleet of Holland in a good condition. And this he proposed soon after to the States, who gave the hundredth penny for a fund to perfect that. I moved to them both, the writing to the bishop of London, and to the king concerning him. And, though the princess feared it might irritate the king too much, in conclusion I persuaded them to it.

The king, hearing of this admission I had, began in two or three letters to reflect on me, as a dangerous man, whom they ought to avoid and beware of. To this no answer was made. Upon the setting up the ecclesiastical commission, some from England pressed them to write over against it, and to begin a breach upon that. I told them, I thought that was no way advisable: they could not be supposed to understand our laws so well, as to oppose those things on their own knowledge; so that I thought this could not be expected by them, till some resolute person would dispute the authority of the court, and bring it to an argument, and so to a solemn decision. I likewise said, that I did not think every error in government would warrant a breach: if the foundations were struck at, that would vary the case; but illegal acts in particular instances could not justify such a conclusion. The prince seemed surprised at this; for the king made me pass for a rebel in my heart: and he now saw how far I was from it. I continued on this ground to the last.

That which fixed me in their confidence was, the liberty I took, in a private conversation with the princess, to ask her, what she intended the prince should be, if she came to the crown. She, who was new to all matters of that kind, did not understand my meaning, but fancied that whatever accrued to her would likewise accrue to him in the right of marriage. I told her it was not so: and I explained king Henry the Seventh's title to her, and what had passed when Queen Mary married Philip king of Spain. I told her, a titular kingship was no acceptable thing to a man, especially if it was to depend on another's life: and such a nominal dignity might endanger the real one that the prince had in Holland. She desired me to propose a remedy. I told her the remedy, if she could bring her mind to it, was to be contented to be his wife, and to engage herself to them, that she would give him the real authority as soon as it came into her hands, and endeavour effectually to get it to be legally vested in him during life: this would lay the greatest obligation on him possible, and lay the foundation of a perfect union between them, which had been of late a little embroiled: this would also give him another sense of all our affairs: I asked pardon for the presumption of moving her in such a tender point: but I solemnly protested, that no person living had moved me in it, or so much as knew of it, or should ever know of it, but as she should order it. I hoped she would consider well of it; for, if she once declared her mind, I hoped she would never go back or retract it. I desired her therefore to take time to think of it. She presently answered me, she would take no time to consider of any thing, by which she could express her regard and affection to the prince; and ordered me to give him an account of all that I had laid before her, and to bring him to her, and I should hear what she would say upon it. He was that day a hunting; and next day I acquainted him with all that had passed, and carried him to her; where she in a very frank manner told him, that she did not know that the laws of England were so contrary to the laws of God, as I had informed her: she did not think that the husband was ever to be obedient to the wife: she promised him he should always bear rule; and she asked only, that he would obey the command of "husbands love your wives," as she should do that, "wives be obedient to your husbands in all things." From this lively introduction we engaged into a long discourse of the affairs of England. Both seemed well pleased with me, and with all that

I had suggested. But such was the prince's cold way, that he said not one word to me upon it, that looked like acknowledgment. Yet he spoke of it to some about him in another strain. He said, he had been nine years married, and had never the confidence to press this matter on the queen, which I had now brought about easily in a day. Ever after that he seemed to trust me entirely.

Complaints came daily over from England of all the high things that the priests were every where throwing out. Penn, the quaker, came over to Holland. He was a talking vain man, who had been long in the king's favour, he being the vice-admiral's son. He had such an opinion of his own faculty of persuading, that he thought none could stand before it: though he was singular in that opinion; for he had a tedious luscious way, that was not apt to overcome a man's reason, though it might tire his patience. He undertook to persuade the prince to come into the king's measures, and had two or three long audiences of him upon the subject: and he and I spent some hours together on it. The prince readily consented to a toleration of popery, as well as of the dissenters, provided it were proposed and passed in parliament: and he promised his assistance, if there was need of it, to get it to pass. But for the tests, he would enter into no treaty about them. He said, it was a plain betraying the security of the protestant religion to give them up. Nothing was left unsaid that might move him to agree to this in the way of interest: the king would enter into an entire confidence with him, and would put his best friends in the chief trusts. Penn undertook for this so positively, that he seemed to believe it himself, or he was a great proficient in the art of dissimulation. Many suspected that he was a concealed papist. It is certain, he was much with father Peter, and was particularly trusted by the earl of Sunderland. So, though he did not pretend any commission for what he promised, yet we looked on him as a man employed. To all this the prince answered, that no man was more for toleration in principle than he was: he thought the conscience was only subject to God: and as far as a general toleration, even of papists, would content the king, he would concur in it heartily: but he looked on the tests as such a real security, and indeed the only one, when the king was of another religion, that he would join in no counsels with those that intended to repeal those laws that enacted them. Penn said the king would have all or nothing: but that, if this was once done, the king would secure the toleration by a solemn and unalterable law. To this the late repeal of the edict of Nantes, that was declared perpetual and irrevocable, furnished an answer that admitted of no reply. So Penn's negotiation with the prince had no effect.

He pressed me to go over to England, since I was in principle for toleration: and he assured me the king would prefer me highly. I told him, since the tests must go with this toleration, I could never be for it. Among other discourses, he told me one thing, that was not accomplished in the way in which he had a mind I should believe it would be, but had a more surprising accomplishment. He told me a long series of predictions, which, as he said, he had from a man that pretended a commerce with angels, who had foretold many things that were passed very punctually. But he added, that, in the year 1688, there would such a change happen in the face of affairs as would amaze all the world. And after the Revolution, which happened that year, I asked him before much company, if that was the event that was predicted. He was uneasy at the question; but did not deny what he had told me, which, he said, he understood of the full settlement of the nation upon a toleration, by which he believed all men's minds would be perfectly quieted and united\*.

\* William Penn, the son of the admiral of the same name, noticed in previous pages, was born in London, during 1644. His early education was at Chigwell school, in Essex; and in 1660 he was a gentleman commoner of Christchurch, Oxford. Attracted by the preaching of a quaker named Low, he frequented their meetings, and was consequently expelled from college. His father acted in the same spirit of severity, but at length sent him to France, where he acquired the accomplishments usual at the period. Upon his return he studied the law at Lincoln's Inn, but the plague forced him thence in 1665. Proceeding to some of his father's estates in Ireland, he again met with

Low, and finally became a member of the quaker fraternity, from which neither paternal nor magisterial severity could separate him. In 1668, becoming an itinerant preacher, he was sent to the Tower, where during seven months' confinement, he wrote his "No Cross, no Crown," and "Innocency with her open face," which obtained his release. When his father died he came into possession of 1,500*l*. a year, but this did not prevent his preaching, for which he was committed to Newgate. His trial came on at the Old Bailey. He pleaded his own cause, and was acquitted.—(See State Trials.) After travelling for some time in Holland and Germany, he returned to this

Now I go from this to prosecute the recital of English affairs. Two eminent bishops died this year, Pearson, bishop of Chester, and Fell, bishop of Oxford. The first of these was in all respects the greatest divine of the age: a man of great learning, strong reason, and of a clear judgment. He was a judicious and grave preacher, more instructive than affective; and a man of a spotless life, and of an excellent temper. His book on the Creed is among the best that our church has produced. He was not active in his diocese, but too remiss and easy in his episcopal function; and was a much better divine than a bishop. He was a speaking instance of what a great man could fall too: for his memory went from him so entirely, that he became a child some years before he died.

Fell, bishop of Oxford, was a man of great strictness in the course of his life, and of much devotion. His learning appears in that noble edition of St. Cyprian that he published. He had made great beginnings in learning before the Restoration; but his continued application to his employments after that, stopped the progress that otherwise he might have made. He was made soon after dean of Christchurch, and afterwards bishop of Oxford. He set himself to promote learning in the university, but most particularly in his own college, which he governed with great care: and was indeed in all respects a most exemplary man, a little too much heated in the matter of our disputes with the dissenters. But, as he was among the first of our clergy that apprehended the design of bringing in popery, so he was one of the most zealous against it. He had much zeal for reforming abuses; and managed it perhaps with too much heat, and in too peremptory a way. But we have so little of that among us, that no wonder if such men are censured by those who love not such patterns, nor such severe task-masters\*.

Ward, of Salisbury, fell also under a loss of memory and understanding: so that he who was both in mathematics and philosophy, and in the strength of judgment and understanding, one of the first men of his time, though he came too late into our profession to become very eminent in it, was now a great instance of the despicable weakness to which man can fall. The court intended once to have named a coadjutor for him. But there being no precedent for that since the Reformation, they resolved to stay till he should die.

The other two bishoprics were less considerable: so they resolved to fill them with the two worst men that could be found out. Cartwright was promoted to Chester. He was a man of good capacity, and had made some progress in learning. He was ambitious and servile, cruel and boisterous, and, by the great liberties he allowed himself, he fell under much scandal of the worst sort. He had set himself long to raise the king's authority above law; which, he said, was only a method of government to which kings might submit as they pleased; but their authority was from God, absolute and superior to law, which they might

country. In 1672 he married and settled at Rickmansworth. In 1681, king Charles, in return for his father's services, and in consideration of a debt due to him from the crown, granted Penn a province of North America. He then devoted himself to establishing a colony there, and to prepare for it a constitution. His liberal and enlightened conduct secured the success of this new country, now so well known as Pennsylvania.—(See “Frame of Government of Pennsylvania.”) Penn was much courted and favoured by James the Second, but the “Clarendon Correspondence” informs us that he laboured to thwart the jesuitical influence that predominated in that reign. Notwithstanding, William the Third and others suspected him of favouring the Romish creed; and though he fully refuted this suspicion, (see his correspondence with archbishop Tillotson) yet the king assured a friend of the earl of Dartmouth, that “Penn is no more a quaker than I am.”—(Oxford edition of this work.) Queen Anne favoured him, and he constantly attended her court, which certainly does not accord with the practice of his sect. A law-suit involved him in more trouble; but whilst retired within the rules of the Fleet prison, he found opportunity to write his “Fruits of Solitude,” and “Fruits of a Father's Love.” Finally, overcoming his

difficulties, he retired to his elegant residence at Ruscomb, near Twyford, in Buckinghamshire, and died there in 1718. Burnet speaks of him too unfavourably; he was unquestionably a man of sound sense and wit; benevolent and just. Dean Swift says, “he spoke very agreeably, and with much spirit.”—See Clarkson's Life of Penn, and his numerous works in Wood's *Athenæ Oxon.*

\* Dr. John Pearson was a native of Norfolk, being born at Snoring in 1612. He was at Eton, and King's college, Cambridge. His “Exposition of the Creed” consists of a course of sermons, preached at St. Clement's, Eastcheap. It needs no more commendation than is given by Burnet. In 1662 he was one of the commissioners for reviewing the liturgy. He was successively master of Jesus and Trinity colleges, Cambridge. He was promoted to the see of Chester in 1673.—Biog. Britannica.

Dr. John Fell was born in 1625, at Longworth, in Berkshire. He was educated at Thame, and Christchurch, Oxford. After various vicissitudes he was raised to the bishopric of this city in 1676. His biographies of Dr. Hammond and Dr. Allestree have had many readers. His other works are numerous and excellent.—Wood's *Athenæ Oxon.*; Biog. Britannica.

exert, as oft as they found it necessary for the ends of government. So he was looked on as a man that would more effectually advance the design of popery, than if he should turn over to it. And indeed, bad as he was, he never made that step, even in the most desperate state of his affairs.

The see of Oxford was given to Dr. Parker, who was a violent independent at the time of the Restoration, with a high profession of piety in their way. But he soon changed, and struck into the highest form of the church of England; and wrote many books with a strain of contempt and fury against all the dissenters, that provoked them out of measure; of which an account was given in the history of the former reign. He had exalted the king's authority in matters of religion in so indecent a manner, that he condemned the ordinary form of saying the king was under God and Christ, as a crude and profane expression: saying, that though the king was indeed under God, yet he was not under Christ, but above him. Yet, not being preferred as he expected, he wrote after that many books, on design to raise the authority of the church to an independence on the civil power. There was an entertaining liveliness in all his books: but it was neither grave nor correct. He was a covetous and ambitious man; and seemed to have no other sense of religion but as a political interest, and a subject of party and faction. He seldom came to prayers, or to any exercises of devotion; and was so lifted up with pride, that he was become insufferable to all that came near him. These two men were pitched on as the fittest instruments that could be found among all the clergy to betray and ruin the church. Some of the bishops brought to archbishop Sancroft articles against them, which they desired he would offer to the king in council, and pray that the mandate for consecrating them might be delayed, till time were given to examine particulars. And bishop Lloyd told me, that Sancroft promised to him not to consecrate them, till he had examined the truth of the articles, of which some were too scandalous to be repeated. Yet when Sancroft saw what danger he might incur, if he were sued in a premunire, he consented to consecrate them.

The deanery of Christchurch, the most important post in the university, was given to Massey, one of the new converts, though he had neither the gravity, the learning, nor the age that was suitable to such a dignity. But all was supplied by his early conversion: and it was set up for a maxim to encourage all converts. He at first went to prayers in the chapel. But soon after he declared himself more openly\*. Not long after this the president of Magdalén college died. That is esteemed the richest foundation in England, perhaps in Europe: for, though the certain rents are but about four or five thousand pounds, yet it is thought that the improved value of the estate belonging to it is about forty thousand pounds. So it was no wonder that the priests studied to get this endowment into their hands.

They had endeavoured to break in upon the university of Cambridge in a matter of less importance, but without success; and now they resolved to attack Oxford, by a strange fatality in their counsels. In all nations the privileges of colleges and universities are esteemed such sacred things, that few will venture to dispute these, much less to disturb them, when their title is good, and their possession is of a long continuance; for in these not only the present body espouses the matter, but all who have been of it, even those that have only followed their studies in it, think themselves bound in honour and gratitude to assist and support them. The priests began where they ought to have ended, when all other things were brought about to their mind. The Jesuits fancied that, if they could get footing in the university, they would gain such a reputation by their methods of teaching youth, that they would carry them away from the university tutors, who were certainly too remiss. Some of the more moderate among them proposed, that the king should endow a new college in both universities, which needed not have cost above two thousand pounds a-year, and in these set his priests to work. But either the king stuck at the charge which this would put him to, or his priests thought it too mean, and below his dignity, not to lay his hand

\* Dr. Douglas justly observes that Burnet's account of this transaction leads the reader to understand that Massey, at the time of his appointment to the deanery, had not openly deserted protestantism; but we now know to the contrary. Massey produced and pleaded his dis-

pensation on the 29th of December, 1686—a dispensation that was a decided and unmitigated inroad upon our constitution.—Dalrymple's *Memoirs*; Sancroft MSS. in the Bodleian Library.

upon those great bodies : so rougher methods were resolved on. It was reckoned, that by frightening them they might be driven to compound the matter, and deliver up one or two colleges to them ; and then, as the king said sometimes in the circle, they who taught best would be most followed.

They began with Cambridge upon a softer point, which yet would have made way for all the rest. The king sent his letter, or mandamus, to order F. Francis, an ignorant benedictine monk, to be received a master of arts ; once to open the way for letting them into the degrees of the university. The truth is, the king's letters were scarce ever refused in conferring degrees ; and when ambassadors, or foreign princes, came to those places, they usually gave such degrees to those who belonged to them as were desired. The Morocco ambassador's secretary, who was a mahometan, had that degree given him ; but a great distinction was made between honorary degrees given to strangers, who intended not to live among them, and those given to such as intended to settle among them ; for every master of arts having a vote in the convocation, they reckoned that if they gave this degree, they must give all that should be pretended to on the like authority : and they knew all the king's priests would be let in upon them, which might occasion in present great distraction and contentions among them ; and in time they might grow to be a majority in the convocation, which is their parliament. They refused the mandamus with great unanimity, and with a firmness that the court had not expected from them. New and repeated orders, full of severe threatenings in case of disobedience, were sent to them : and this piece of raillery was everywhere set up, that a papist was reckoned worse than a mahometan, and that the king's letters were less considered than the ambassador from Morocco had been. Some feeble or false men of the university tried to compound the matter by granting this degree to F. Francis, but enacting at the same time, that it should not be a precedent for any other of the like nature. This was not given way to : for it was said, that in all such cases the obedience that was once paid would be a much stronger argument for continuing to do it, as oft as it should be desired, than any such proviso could be against it.

Upon this the vice-chancellor was summoned before the ecclesiastical commission to answer this contempt. He was a very honest but a very weak man. He made a poor defence. And it was no small reflection on that great body, that their chief magistrate was so little able to assert their privileges, or to justify their proceedings. He was treated with greatest contempt by Jeffreys\*. But he having acted only as the chief person of that body, all that was thought fit to be done against him was to turn him out of his office. That was but an annual office, and of no profit : so this was a slight censure, chiefly when it was all that followed on such heavy threatenings. The university chose another vice-chancellor (Dr. Balderson), who was a man of much spirit ; and in his speech, which in course he made upon his being chosen, he promised that, during his magistracy, neither religion, nor the rights of the body, should suffer by his means. The court did not think fit to insist more upon this matter : which was too plain a confession, either of their weakness in beginning such an ill-grounded attempt, or of their feebleness in letting it fall, doing so little, after they had talked so much about it. And now all people began to see that they had taken wrong notions of the king, when they thought that it would be easy to engage him into bold things, before he could see into the ill consequences that might attend them, but that being once engaged he would resolve to go through with them at all adventures. When I knew him, he seemed to have set up that for a maxim, that a king when he made a step was never to go back, nor to encourage faction, and disobedience, by yielding to it.

After this unsuccessful attempt upon Cambridge, another was made upon Oxford, that lasted longer, and had greater effects, which I shall set all down together, though the conclusion of this affair ran far into the year after this that I now write of. The presidentship of Magdalen's was given by the election of the fellows. So the king sent a mandamus, requiring them to choose one Farmer, an ignorant and vicious person, who had not one qualification that could recommend him to so high a post, besides that of changing his religion.

\* This was Dr. Peachell. The coarse manner in which he was treated by Jeffreys is fully related in Woolrych's Life of this judge.

Mandamus letters had no legal authority in them; but all the great preferments of the church being in the king's disposal, those who did pretend to favour were not apt to refuse his recommendation, lest that should be afterwards remembered to their prejudice. But now, since it was visible in what channel favour was likely to run, less regard was had to such a letter. The fellows of that house did upon this choose Dr. Hough, one of their body, who, as he was in all respects a statutable man, so he was a worthy and a firm man, not apt to be threatened out of his right. They carried their election according to their statutes to the bishop of Winchester (Dr. Mews), their visitor, and he confirmed it. So that matter was legally settled. This was highly resented at court. It was said, that, in case of a mandamus for an undeserving man, they ought to have represented the matter to the king, and staid till they had his pleasure: it was one of the chief services that the universities expected from their chancellors, which made them always choose men of great credit at court, that by their interest such letters might be either prevented or recalled. The duke of Ormond was now their chancellor; but he had little credit in the court, and was declining in his age, which made him retire into the country. It was much observed that this university, that had asserted the king's prerogative in the highest strains of the most abject flattery possible, both in their addresses and in a wild decree they had made but three years before this, in which they had laid together a set of such high-flown maxims as must establish an uncontrollable tyranny, should be the first body of the nation that should feel the effects of it most sensibly. The cause was brought before the ecclesiastical commission. The fellows were first asked why they had not chosen Farmer in obedience to the king's letter? And to that they answered by offering a list of many just exceptions against him. The subject was fruitful, and the scandals he had given were very public. The court was ashamed of him, and insisted no more on him; but they said, that the house ought to have showed more respect to the king's letter, than to have proceeded to an election in contempt of it.

The ecclesiastical commission took upon them to declare Hough's election null, and to put the house under suspension. And, that the design of the court in this matter might be carried on without the load of recommending a papist, Parker, bishop of Oxford, was now recommended; and the fellows were commanded to proceed to a new election in his favour. They excused themselves, since they were bound by their oaths to maintain their statutes: and by these, an election being once made and confirmed, they could not proceed to a new choice, till the former was annulled in some court of law: church benefices and college preferments were freeholds, and could only be judged in a court of record: and, since the king was now talking so much of liberty of conscience, it was said, that the forcing men to act against their oaths, seemed not to agree with those professions. In opposition to this it was said, that the statutes of colleges had been always considered as things that depended entirely on the king's good pleasure: so that no oaths to observe them could bind them, when it was in opposition to the king's command.

This did not satisfy the fellows: and though the king, as he went through Oxford in his progress in the year 1687, sent for them, and ordered them to go presently and choose Parker for their president, in a strain of language ill suited to the majesty of a crowned head, (for he treated them with foul language, pronounced in a very angry tone,) yet it had no effect on them. They insisted still on their oaths, though with a humility and submission that they hoped would have mollified him. They continued thus firm. A subaltern commission was sent from the ecclesiastical commission to finish the matter. Bishop Cartwright was the head of this commission, as sir Charles Hedges was the king's advocate to manage the matter. Cartwright acted in so rough a manner, that it showed he was resolved to sacrifice all things to the king's pleasure. It was an afflicting thing, which seemed to have a peculiar character of indignity in it, that this first act of violence committed against the legal possessions of the church, was executed by one bishop, and done in favour of another.

The new president was turned out. And, because he could not deliver the keys of his house, the doors were broken open: and Parker was put in possession. The fellows were required to make their submission, to ask pardon for what was passed, and to accept of the bishop for their president. They still pleaded their oath, and were all turned out, except two

that submitted. So that it was expected to see that house soon stocked with papists\*. The nation, as well as the university, looked on all this proceeding with a just indignation. It was thought an open piece of robbery and burglary, when men, authorised by no legal commission, came and forcibly turned men out of their possession and freehold. This agreed ill with the professions that the king was still making, that he would maintain the church of England as by law established: for this struck at the whole estate, and all the temporalities of the church. It did so inflame the church party and the clergy, that they sent over very pressing messages upon it to the prince of Orange, desiring that he would interpose and espouse the concerns of the church; and that he would break upon it, if the king would not redress it. This I did not see in their letters. Those were of such importance, since the writing them might have been carried to high treason, that the prince did not think fit to show them. But he often said, he was pressed by many of those who were afterwards his bitterest enemies, to engage in their quarrel. When that was communicated to me I was still of opinion that, though this was indeed an act of despotical and arbitrary power, yet I did not think it struck at the whole: so that it was not in my opinion a lawful case of resistance; and I could not concur in a quarrel occasioned by such a single act, though the precedent set by it might go to everything.

Now the king broke with the church of England. And, as he was apt to go warmly upon every provocation, he gave himself such liberties in discourse upon that subject, that it was plain all the services they had done him, both in opposing the exclusion and upon his first accession to the crown, were forgotten. Agents were now found out, to go among the dissenters, to persuade them to accept of the favour the king intended them, and to concur with him in his designs.

The dissenters were divided into four main bodies. The presbyterians, the independents, the anabaptists, and the quakers. The two former had not the visible distinction of different rites: and their depressed condition made, that the dispute about the constitution, and subordination, of churches, which had broken them when power was in their hands, was now out of doors: and they were looked on as one body, and were above three parts in four of all the dissenters. The main difference between these was, that the presbyterians seemed reconcilable to the church; for they loved episcopal ordination and a liturgy, and upon some amendments seemed disposed to come into the church; and they liked the civil government and limited monarchy. But as the independents were for a commonwealth in the state, so they put all the power of the church in the people, and thought that their choice was an ordination: nor did they approve of set forms of worship. Both were enemies to this high prerogative that the king was assuming, and were very averse to popery. They generally were of a mind as to the accepting the king's favour; but were not inclined to take in the papists into a full toleration, much less could they be prevailed on to concur in taking off the tests. The anabaptists were generally men of virtue, and of an universal charity: and as they were far from being in any treating terms with the church of England, so nothing but an universal toleration could make them capable of favour or employments. The quakers had set up such a visible distinction in the matter of the hat, and saying *thou* and *thee*, that they had all as it were a badge fixed on them; so they were easily known. Among these Penn had the greatest credit, as he had a free access at court. To all these it was proposed that the king designed the settling the minds of the different parties in the nation, and the

\* Dr. John Hough was a native of Middlesex, and born in 1651. He was a demy of Magdalen college, Oxford. In 1681, he went as chaplain to the duke of Ormond into Ireland. He was prebendary of Worcester when elected president of his college in opposition to Anthony Farmer. Dr. Samuel Parker, who was made to supersede him, only lived a few months, and then a professed Roman catholic was appointed to the presidency, namely Bonaventure Gifford, a Sorbonne doctor and secular priest, bishop elect of Madaura. At the Revolution, Dr. Hough and the fellows of Magdalen were restored, and in 1690 he was enthroned bishop of Oxford, then of Lichfield, and finally of Worcester. He died in

1743.—(Wood's *Athenae Oxon.*; Wilmot's *Life of Dr. Hough*). Pious, serene, meek, and patient, virtuous qualities that ensure firmness of character, his path to the grave was gently sloped and protracted. Extreme old age did not affect him with the petulance which is its usual accompaniment. A few weeks before his death, a young clergyman awkwardly threw down the bishop's favourite barometer. The offender was confounded with surprise and regret, but he was prevented apologizing, by the bishop approaching him with his usual complacency, saying, "Sir, do not be uneasy; I have observed this glass almost daily for upwards of seventy years, and never saw it so low before."—Noble's *Life of Grainger*.

enriching it by enacting a perpetual law, that should be passed with such solemnities as had accompanied the Magna Charta; so that not only penal laws should be for ever repealed, but that public employments should be opened to men of all persuasions, without any tests, or oaths, limiting them to one sort, or party, of men. There were many meetings among the leading men of the several sects.

It was visible to all men, that the courting them at this time was not from any kindness or good opinion that the king had of them. They had left the church of England, because of some forms in it that they thought looked too like the church of Rome. They needed not to be told, that all the favour expected from popery was once to bring it in under the colour of a general toleration, till it should be strong enough to set on a general persecution: and therefore, as they could not engage themselves to support such an arbitrary prerogative as was now made use of, so neither should they go into any engagements for popery. Yet they resolved to let the points of controversy alone, and leave those to the management of the clergy, who had a legal bottom to support them. They did believe that this indignation against the church party, and this kindness to them, were things too unnatural to last long. So the more considerable among them resolved not to stand at too great a distance from the court, nor to provoke the king so far, as to give him cause to think they were irreconcileable to him, lest they should provoke him to make up matters on any terms with the church party. On the other hand, they resolved not to provoke the church party, or by any ill behaviour of theirs drive them into a reconciliation with the court. It is true Penn shewed both a scorn of the clergy, and virulent spite against them, in which he had not many followers.

The king was so fond of his army that he ordered them to encamp on Hounslow Heath, and to be exercised all the summer long. This was done with great magnificence, and at a vast expense; but that which abated the king's joy in seeing so brave an army about him was, that it appeared visibly, and on many occasions, that his soldiers had as great an aversion to his religion as his other subjects had expressed. The king had a chapel in his camp, where mass was said; but so few went to it, and those few were treated by the rest with so much scorn, that it was not easy to bear it. It was very plain that such an army was not to be trusted in any quarrel, in which religion was concerned.

The few papists that were in the army were an unequal match for the rest. The heats about religion were likely to breed quarrels: and it was once very near a mutiny. It was thought that these encampments had a good effect on the army. They encouraged one another, and vowed they would stick together, and never forsake their religion. It was no small comfort to them to see they had so few papists among them; which might have been better disguised at a distance, than when they were all in view. A resolution was formed upon this at court, to make recruits in Ireland, and to fill them up with Irish papists; which succeeded as ill as all their other designs did, as shall be told in its proper place.

The king had for above a year managed his correspondence with Rome secretly. But now the priests resolved to drive the matter past reconciling. The correspondence with that court, while there was none at Rome with a public character, could not be decently managed, but by cardinal Howard's means. He was no friend to the Jesuits; nor did he like their over-driving matters. So they moved the king to send an ambassador to Rome. This was high treason by law. Jeffreys was very uneasy at it. But the king's power of pardoning had been much argued in the earl of Danby's case, and was believed to be one of the unquestionable rights of the crown. So he knew a safe way in committing crimes: which was, to take out pardons as soon as he had done illegal things.

The king's choice of Palmer, earl of Castlemain, was liable to great exception. For, as he was believed to be a Jesuit, so he was certainly as hot and eager in all high notions, as any of them could be. The Romans were amazed when they heard that he was to be the person. His misfortunes were so eminent and public, that they who take their measures much from astrology, and from the characters they think are fixed on men, thought it strange to see such a negotiation put in the hands of so unlucky a man. It was managed with great splendour, and at a vast charge\*.

\* For an account of this embassy, and its pageantry, see Misson's "Voyage to Italy," ii. 256.

He was unhappy in every step of it. He disputed with a nice sort of affectation every punctilio of the ceremonial. And when the day, set for his audience, came, there happened to be such an extraordinary thunder, and such deluges of rain, as disgraced the show, and heightened the opinion of the ominousness of this embassy. After this was over, he had yet many disputes with relation to the ceremony of visits. The points he pressed were, first, the making P. Renaldi, of Este, the queen's uncle, a cardinal: in which he prevailed; and it was the only point in which he succeeded. He tried if it was possible to get father Petre to be made a cardinal. But the pope was known to be intractable in that point, having fixed it as a maxim not to raise any of that order to the purple. Count Mansfield told me, as he came from Spain, that our court had pressed the court of Spain to join their interest with ours at Rome for his promotion. They gave it out that he was a German by birth, and undertook that he should serve the Austrian interest. They also promised the court of Madrid great assistance in other matters of the last importance, if they would procure this: adding, that this would prove the most effectual means for the conversion of England. Upon which, the count told me, he was asked concerning father Petre. He, who had gone often to Spain through England, happened to know that Jesuit, and told them he was no German, but an Englishman. They tried their strength at Rome for his promotion, but with no success.

The ambassador at Rome pressed cardinal Cibo much to put an end to the differences between the pope and the king of France, in the matter of the franchises, that it might appear that the pope had a due regard to a king that had extirpated heresy, and to another king who was endeavouring to bring other kingdoms into the sheepfold. What must the world say, if two such kings, like whom no ages had produced any, should be neglected, and ill used, at Rome for some punctilios? He added, that, if these matters were settled, and if the pope would enter into concert with them, they would set about the destroying heresy every where, and would begin with the Dutch; upon whom, he said, they would fall without any declaration of war, treating them as a company of rebels, and pirates, who had not a right, as free states and princes have, to a formal denunciation of war. Cibo, who was then cardinal patron, was amazed at this, and gave notice of it to the imperial cardinals. They sent it to the emperor, and he signified it to the prince of Orange. It is certain that one prince's treating with another, to invade a third, gives a right to that third prince to defend himself, and to prevent those designs. And, since what an ambassador says is understood as said by the prince whose character he bears, this gave the States a right to make use of all advantages that might offer themselves. But they had yet better grounds to justify their proceedings, as will appear in the sequel.

When the ambassador saw that his remonstrances to the cardinal patron were ineffectual, he demanded an audience of the pope; and there he lamented that so little regard was had to two such great kings. He reflected on the pope, as sowing more zeal about temporal concerns than the spiritual; which, he said, gave scandal to all Christendom. He concluded, that, since he saw intercessions made in his master's name were so little considered, he would make haste home: to which the pope made no other answer, but "*lei è padrone*," he might do as he pleased. But he sent one after the ambassador, as he withdrew from the audience, to let him know how much he was offended with his discourses, that he received no such treatment from any person, and that the ambassador was to expect no other private audience. Cardinal Howard did what he could to soften matters. But the ambassador was so entirely in the hands of the Jesuits, that he had little regard to any thing that the cardinal suggested. And so he left Rome after a very expensive, but insignificant embassy.

The pope sent in return a nuncio, Dada, now a cardinal. He was highly civil in all his deportment; but it did not appear that he was a man of great depth, nor had he power to do much. The pope was a jealous and fearful man, who had no knowledge of any sort, but in the matters of the revenue, and of money: for he was descended from a family that was become rich by dealing in banks. And, in that respect, it was a happiness to the papacy that he was advanced: for it was so involved in vast debts, by a succession of many wasteful pontificates, that his frugal management came in good time to set those matters in better order. It was known that he did not so much as understand Latin. I was told at Rome,

that when he was made cardinal, he had a master to teach him to pronounce that little Latin that he had occasion for at high masses. He understood nothing of divinity. I remembered what a Jesuit at Venice had said to me, whom I met sometimes at the French ambassador's there, when we were talking of the pope's infallibility: he said, that being in Rome during Altieri's pontificate, who lived some years in a perfect dotage, he confessed it required a very strong faith to believe him infallible: but he added pleasantly, the harder it was to believe it, the act of faith was the more meritorious. The submitting to pope Innocent's infallibility was a very implicit act of faith, when all appearances were so strongly against it. The pope hated the Jesuits, and expressed a great esteem for the Jansenists; not that he understood the ground of the difference, but because they were enemies to the Jesuits, and were ill-looked on by the court of France. He understood the business of the regale a little better, it relating to the temporalities of the church. And therefore he took all those under his protection who refused to submit to it. Things seemed to go far towards a breach between the two courts: especially after the articles which were set out by the assembly of the clergy of France in the year 1682, in favour of the councils of Constance and Basil, in opposition to the papal pretensions. The king of France, who was not accustomed to be treated in such a manner, sent many threatening messages to Rome, which alarmed the cardinals so much, that they tried to mollify the pope. But it was reported at Rome, that he made a noble answer to them, when they asked him what he would do, if so great a king should send an army to fall upon him? He said, he could suffer martyrdom.

He was so little terrified with all those threatenings, that he had set on foot a dispute about the franchises. In Rome all those of a nation put themselves under the protection of their ambassador, and are, upon occasions of ceremony, his cortege. These were usually lodged in his neighbourhood, pretending that they belonged to him. So that they exempted themselves from the orders and justice of Rome, as a part of the ambassador's family. And that extent of houses or streets in which they lodged was called the franchises: for in it they pretended they were not subject to the government of Rome. This had made these houses to be well filled, not only with those of that nation, but with such Romans as desired to be covered with that protection. Rome was now much sunk from what it had been: so that these franchises were become so great a part of the city, that the privileges of those that lived in them were giving every day new disturbances to the course of justice, and were the common sanctuaries of criminals. So the pope resolved to reduce the privileges of ambassadors to their own families, within their own palaces. He first dealt with the emperor's and the king of Spain's ambassadors, and brought them to quit their pretensions to the franchises; but with this provision, that, if the French did not the same, they would return to them. So now the pope was upon forcing the French to submit to the same methods. The pope said, his nuncio, or legate, at Paris, had no privilege but for his family, and for those that lived in his palace. The French rejected this with great scorn. They said, the pope was not to pretend to an equality with so great a king. He was the common father of Christendom: so those who came thither, as to the centre of unity, were not to be put on the level with the ambassadors that passed between sovereign princes. Upon this the king of France pretended that he would maintain all the privileges and franchises that his ambassadors were possessed of. This was now growing up to be the matter of a new quarrel, and of fresh disputes, between those courts.

The English ambassador being so entirely in the French interests, and in the confidence of the Jesuits, he was much less considered at Rome than he thought he ought to have been. The truth is, the Romans, as they have very little sense of religion, so they considered the reduction of England as a thing impracticable. They saw no prospect of any profits likely to arise in any of their offices by bulls, or compositions: and this was the notion that they had of the conversion of nations, chiefly as it brought wealth and advantages to them.

I will conclude all that I shall say in this place of the affairs of Rome with a lively saying of queen Christina to myself at Rome. She said, it was certain that the church was governed by the immediate care and providence of God: for none of the four popes that she had known, since she came to Rome, had common sense. She added, they were the first

and the last of men. She had given herself entirely for some years to the study of astrology : and upon that she told me the king would live yet many years, but added that he would have no son.

I come, from the relation of this embassade to Rome, to give an account of other negotiations. The king found Skelton managed his affairs in Holland with so little sense, and gave such an universal distaste, that he resolved to change him. But he had been so servilely addicted to all his interests, that he would not discourage him. And, because all his concerns with the court of France were managed with Barillon, the French ambassador at London, he was sent to Paris.

The king found out one White, an Irishman, who had been long a spy of the Spaniards. And when they did not pay his appointments well, he accepted of the title of marquis d'Albeville from them in part of payment. And then he turned to the French, who paid their tools more punctually. But though he had learned the little arts of corrupting under-secretaries, and had found out some secrets by that way, which made him pass for a good spy, yet, when he came to negotiate matters in a higher form, he proved a most contemptible and ridiculous man, who had not the common appearances either of decency or of truth.

He had orders, before he entered upon business with the prince or princess, to ask of them not only to forbid me the court, but to promise to see me no more. The king had written two violent letters against me to the princess. She trusted me so far, that she showed them to me : and was pleased to answer them according to the hints that I suggested. But now it was put so home, that this was to be complied with, or a breach was immediately to follow upon it. So this was done. And they were both so true to their promise, that I saw neither the one nor the other till a few days before the prince set sail for England. The prince sent Dykvelt and Halewyn constantly to me, with all the advertisements that came from England. So I had the whole secret of English affairs still brought me.

That which was first resolved on was, to send Dykvelt to England with directions how to talk with all sorts of people : to the king, to those of the church, and to the dissenters. I was ordered to draw his instructions, which he followed very closely. He was ordered to expostulate decently, but firmly, with the king, upon the methods he was pursuing, both at home and abroad ; and to see if it was possible to bring him to a better understanding with the prince. He was also to assure all the church party, that the prince would ever be firm to the church of England, and to all our national interests. The clergy, by the methods in which they corresponded with him, which I suppose was chiefly by the bishop of London's means, had desired him to use all his credit with the dissenters, to keep them from going into the measures of the court ; and to send over very positive assurances that, in case they stood firm now to the common interest, they would in a better time come into a comprehension of such as could be brought into a conjunction with the church, and to a toleration of the rest. They had also desired him to send over some of the preachers whom the violence of the former years had driven to Holland ; and to prevail effectually with them to oppose any false brethren whom the court might gain to deceive the rest : which the prince had done. And to many of them he gave such presents, as enabled them to pay their debts and to undertake the journey. Dykvelt had orders to press them all to stand off, and not to be drawn in by any promises the court might make them to assist them in the elections of parliament. He was also instructed to assure them of a full toleration ; and likewise of a comprehension, if possible, whensoever the crown should devolve on the princess. He was to try all sorts of people, and to remove the ill impressions that had been given them of the prince : for the church party was made believe he was a presbyterian, and the dissenters were possessed with a conceit of his being arbitrary and imperious. Some had even the impudence to give out that he was a papist. But the ill terms in which the king and he lived put an end to those reports at that time. Yet they were afterwards taken up, and managed with much malice to create a jealousy of him. Dykvelt was not gone off when D'Albeville came to the Hague. He did all he could to divert the journey : for he knew well Dykvelt's way of penetrating into secrets, he himself having been often employed by him, and well paid for several discoveries made by his means.

D'Albeville assured the prince and the States that the king was firmly resolved to main-

tain his alliance with them : that his naval preparations were only to enable him to preserve the peace of Europe : for he seemed much concerned to find that the States had such apprehensions of these, that they were putting themselves in a condition not to be surprised by them. In his secret negotiations with the prince and princess, he began with very positive assurances that the king intended never to wrong them in their right of succession : that all that the king was now engaged in was only to assert the rights of the crown, of which they would reap the advantage in their turn : the test was a restraint on the king's liberty, and therefore he was resolved to have it repealed : and he was also resolved to lay aside all penal laws in matters of religion : they saw too well the advantages that Holland had, by the liberty of conscience that was settled among them, to oppose him in this particular : the king could not abandon men, because they were of his own religion, who had served him well, and had suffered only on his account, and on the account of their conscience. He told them how much the king condemned the proceedings in France ; and that he spoke of that king as a poor bigot, who was governed by the archbishop of Paris and Madame de Maintenon ; whereas he knew Père de la Chaise had opposed the persecution as long as he could. But the king hated those maxims : and therefore he received the refugees very kindly, and had given orders for a collection of charity over the kingdom for their relief.

This was the substance both of what D'Albeville said to the prince and princess, and of what the king himself said to Dykvelt upon those subjects. At that time the king thought he had made a majority of the house of commons sure : and so he seemed resolved to have a session of parliament in April. And of this D'Albeville gave the prince positive assurances. But the king had reckoned wrong : for many of those who had been with him in his closet were either silent, or had answered him in such respectful words, that he took these for promises. But, when they were more strictly examined, the king saw his error : and so the sitting of the parliament was put off.

To all these propositions the prince and princess, and Dykvelt in their name, answered, that they were fixed in a principle against persecution in matters of conscience ; but they could not think it reasonable to let papists in to sit in parliament, or to serve in public trusts : the restless spirit of some of that religion, and of their clergy in particular, shewed they could not be at quiet till they were masters : and the power they had over the king's spirit, in making him forget what he had promised upon his coming to the crown, gave but too just a ground of jealousy : it appeared that they could not bear any restraints, nor remember past services longer, than those who did them could comply in everything with that which was desired of them : they thought the prerogative, as limited by law, was great enough : and they desired no such exorbitant power as should break through all laws : they feared that such an attack upon the constitution might rather drive the nation into a commonwealth : they thought the surest as well as the best way was to govern according to law : the church of England had given the king signal proofs of their affection and fidelity ; and had complied with him in everything, till he came to touch them in so tender a point as the legal security they had for their religion : their sticking to that was very natural : and the king's taking that ill from them was liable to great censure : the king, if he pleased to improve the advantages he had in his hand, might be both easy and great at home, and the arbiter of all affairs abroad : but he was prevailed on by the importunities of some restless priests to embroil all his affairs to serve their ends : they could never consent to abolish those laws which were the best, and now the only fence of that religion which they themselves believed true. This was the substance of their answers to all the pressing messages that were often repeated by D'Albeville. And upon this occasion the princess spoke so often, and with such firmness to him, that he said, she was more intractable on those matters than the prince himself. Dykvelt told me he argued often with the king on all these topics, but he found him obstinately fixed in his resolution. He said he was the head of the family, and the prince ought to comply with him ; but that he had always set himself against him. Dykvelt answered that the prince could not carry his compliance so far, as to give up his religion to his pleasure ; but that in all other things he had shown a very ready submission to his will : the peace of Nimeguen, of which the king was guarantee, was openly violated in the article relating to the principality of Orange : yet since the king did not think fit to

espouse his interests in that matter, he had been silent, and had made no protestations upon it: so the king saw that he was ready to be silent under so great an injury, and to sacrifice his own concerns rather than disturb the king's affairs. To this the king made no answer. The earl of Sunderland and the rest of the ministry pressed Dykvelt mightily to endeavour to bring the prince to concur with the king. And they engaged to him, that, if that were once settled, the king would go into close measures with him against France. But he put an end to all those propositions. He said, the prince could never be brought to hearken to them.

At this time a great discovery was made of the intentions of the court, by the Jesuits of Liege, who, in a letter that they wrote to their brethren at Friburg, in Switzerland, gave them a long account of the affairs of England. They told them, that the king was received into a communication of the merits of their order: that he expressed great joy at his becoming a son of the society; and professed, he was as much concerned in all their interests as in his own: he wished they could furnish him with many priests to assist him in the conversion of the nation, which he was resolved to bring about, or to die a martyr in endeavouring it; and that he would rather suffer death for carrying on that, than live ever so long and happy without attempting it. He said, he must make haste in this work, otherwise, if he should die before he had compassed it, he would leave them worse than he found them. They added, among many particulars, that, when one of them kneeled down to kiss his hand, he took him up, and said, since he was a priest, he ought rather to kneel to him, and to kiss his hand. And, when one of them was lamenting that his next heir was an heretic, he said, "God would provide an heir."

The Jesuits at Friburg showed this about. And one of the ministers, on whom they were taking some pains, and of whom they had some hopes, had got a sight of it. And he obtained leave to take a copy of it, pretending that he would make good use of it. He sent a copy of it to Heidegger, the famous professor of divinity at Zurich: and from him I had it. Other copies of it were likewise sent, both from Geneva and Switzerland. One of those was sent to Dykvelt; who upon that told the king, that his priests had other designs, and were full of those hopes that gave jealousies which could not be easily removed: and he named the Liege letter, and gave the king a copy of it. He promised to him he would read it; and he would soon see whether it was an imposture framed to make them more odious or not. But he never spoke of it to him afterwards. This Dykvelt thought was a confessing that the letter was no forgery. Thus Dykvelt's negotiation at London, and D'Alberville's at the Hague, ended without any effect on either side.

But, if his treating with the king was without success, his management of his instructions was more prosperous. He desired that those who wished well to their religion and their country would meet together, and concert such advices and advertisements as might be fit for the prince to know, that he might govern himself by them. The marquis of Halifax, and the earls of Shrewsbury, Devonshire, Danby, and Nottingham, the lords Mordaunt and Lumley, Herbert and Russel among the admirals, and the bishop of London, were the persons chiefly trusted. And upon the advices that were sent over by them the prince governed all his motions. They met often at the earl of Shrewsbury's. And there they concerted matters, and drew the declaration on which they advised the prince to engage.

In this state things lay for some months. But the king resolved to go on in his design of breaking through the laws. He sent a proclamation of indulgence to Scotland in February. It set forth in the preamble, that the king had an absolute power vested in him, so that all his subjects were bound to obey him without reserve: by virtue of this power, the king repealed all the severe laws that were passed in his grandfather's name during his infancy: he with that took off all disabilities that were by any law laid on his Roman catholic subjects, and made them capable of all employments and benefices: he also slackened all the laws made against the moderate presbyterians: and promised he would never force his subjects by any invincible necessity to change their religion: and he repealed all laws imposing tests on those who held any employments: instead of which he set up a new one, by which they should renounce the principles of rebellion, and should oblige themselves to maintain the king in this his absolute power against all mortals

This was published in Scotland to make way for that which followed it some months after in England. It was strangely drawn, and liable to much just censure. The king by this raised his power to a pitch, not only of suspending, but of repealing laws, and of enacting new ones by his own authority. His claiming an absolute power, to which all men were bound to obey without reserve, was an invasion of all that was either legal or sacred. The only precedent that could be found for such an extraordinary pretension, was in the declaration that Philip the Second of Spain sent by the duke of Alva into the Netherlands, in which he founded all the authority that he committed to that bloody man, on the absolute power that rested in him. Yet in this the king went further than Philip, who did not pretend that the subjects were bound to obey without reserve. Every prince that believes the truth of religion, must confess that there are reserves in the obedience of their subjects, in case their commands should be contrary to the laws of God. The requiring all persons that should be capable of employments to swear to maintain this, was to make them feel their slavery too sensibly. The king's promising to use "no invincible necessity" to force his subjects to change their religion, showed that he allowed himself a very large reserve in this grace that he promised his subjects; though he allowed them none in their obedience. The laws that had passed during king James's minority had been often ratified by himself after he was of age. And they had received many subsequent confirmations in the succeeding reigns; and one in the king's own reign. And the test that was now taken away was passed by the present king, when he represented his brother. Some took also notice of the word "moderate presbyterians," as very ambiguous.

The court finding that so many objections lay against this proclamation (as indeed it seemed penned on purpose to raise new jealousies), let it fall, and sent down another some months after that was more cautiously worded; only absolute power was so dear to them, that it was still asserted in the new one. By it, full liberty was granted to all presbyterians to set up conventicles in their own way. They did all accept of it without pretending any scruples. And they magnified this, as an extraordinary stroke of providence, that a prince, from whom they expected an increase of the severities under which the laws had brought them, should thus of a sudden allow them such an unconfined liberty. But they were not so blind as not to see what was aimed at by it. They made addresses upon it full of acknowledgments, and of protestations of loyalty. Yet, when some were sent among them, pressing them to dispose all their party to concur with the king in taking away the tests and penal laws, they answered them only in cold and general words.

In April the king set out a declaration of toleration and liberty of conscience for England. But it was drawn up in much more modest terms than the Scotch proclamation had been. In the preamble, the king expressed his aversion to persecution on the account of religion, and the necessity that he found of allowing his subjects liberty of conscience, in which he did not doubt of the concurrence of his parliament: he renewed his promise of maintaining the church of England, as it was by law established: but with this he suspended all penal and sanguinary laws in matters of religion: and, since the service of all his subjects was due to him by the laws of nature, he declared them all equally capable of employments, and suppressed all oaths or tests that limited this: in conclusion, he promised he would maintain all his subjects in all their properties, and particularly in the possession of the abbey lands.

This gave great offence to all true patriots, as well as to the whole church party. The king did now assume a power of repealing laws by his own authority: for though he pretended only to suspend them, yet no limitation was set to this suspension: so it amounted to a repeal, the laws being suspended for all time to come. The preamble, that pretended so much love and charity, and that condemned persecution, sounded strangely in the mouth of a popish prince. The king's saying that he did not doubt of the parliament's concurring with him in this matter seemed ridiculous; for it was visible by all the prorogations, that the king was but too well assured, that the parliament would not concur with him in it. And the promise to maintain the subjects in their possessions of the abbey lands, looked as if the design of setting up popery was thought very near being effected, since otherwise there was no need of mentioning any such thing.

Upon this a new set of addresses went round the dissenters. And they, who had so long

reproached the church of England, as too courtly in their submissions and flatteries, seemed now to vie with them in those abject strains. Some of them, being penned by persons whom the court had gained, contained severe reflections on the clergy, and on their proceedings. They magnified the king's mercy and favour, and made great protestations of fidelity and gratitude. Many promised to endeavour that such persons should be chosen to serve in parliament, as should concur with the king in the enacting what he now granted so graciously. Few concurred in those addresses: and the persons that brought them up were mean and inconsiderable. Yet the court was lifted up with this. The king, and his priests, were delighted with these addresses out of measure: and they seemed to think that they had gained the nation, and had now conquered those who were hitherto their most irreconcileable enemies. The king made the cruelty of the church of England the common subject of discourse. He reproached them for setting on so often a violent persecution of the dissenters. He said he had intended to have set on this toleration sooner, but that he was restrained by some of them, who had treated with him, and had undertaken to show favour to those of his religion, provided they might be still suffered to vex the dissenters. He named the persons that had made those propositions to him. In which he suffered much in his honour: for as the persons denied the whole thing, so the freedom of discourse in any such treaty, ought not to have been made use of to defame them.

But, to carry this further, and to give a public and an odious proof of the rigour of the ecclesiastical courts, the king ordered an enquiry to be made into all the vexatious suits into which dissenters had been brought in these courts, and into all the compositions that they had been forced to make, to redeem themselves from further trouble: which, as was said, would have brought a scandalous discovery of all the ill practices of those courts. For the use that many that belonged to them had made of the laws with relation to the dissenters, was, to draw presents from such of them as could make them; threatening them with a process in case they failed to do that, and upon their doing it, leaving them at full liberty to neglect the laws as much as they pleased. It was hoped at court, that this fury against the church would have animated the dissenters to turn upon the clergy, with some of that fierceness with which they themselves had been lately treated. Some few of the hotter of the dissenters answered their expectations. Angry speeches and virulent books were published. Yet these were disowned by the wiser men among them: and the clergy, by a general agreement, made no answer to them. So that the matter was let fall, to the great grief of the popish party. Some of the bishops, that were gained by the court, carried their compliance to a shameful pitch: for they set on addresses of thanks to the king for the promise he had made, in the late declaration of maintaining the church of England: though it was visible that the intent of it was to destroy the church. Some few were drawn into this. But the bishop of Oxford had so ill success in his diocese, that he got but one single clergyman to concur with him in it. Some foolish men retained still their old peevishness. But the far greater part of the clergy began to open their eyes, and see how they had been engaged by ill-meaning men, who were now laying by the mask, into all the fury that had been driven on for many years by a popish party. And it was often said, that if ever God should deliver them out of the present distress, they would keep up their domestic quarrels no more, which were so visibly and so artfully managed by our enemies to make us devour one another, and so in the end to be consumed one of another. And when some of those who had been always moderate, told these, who were putting on another temper, that they would perhaps forget this as soon as the danger was over, they promised the contrary very solemnly. It shall be told afterwards how well they remembered this. Now the bed-chamber and drawing-room were as full of stories to the prejudice of the clergy, as they were formerly to the prejudice of the dissenters. It was said they had been loyal as long as the court was in their interests, and was venturing all on their account; but as soon as this changed, they changed likewise.

The king, seeing no hope of prevailing on his parliament, dissolved it; but gave it out, that he would have a new one before winter. And, the queen being advised to go to the Bath for her health, the king resolved on a great progress through some of the western counties.

Before he set out, he resolved to give the pope's nuncio a solemn reception at Windsor. He apprehended some disorder might have happened if it had been done at London. He thought it below both his own dignity, and the pope's, not to give the nuncio a public audience. This was a hard point for those who were to act a part in this ceremony; for all commerce with the see of Rome being declared high treason by law, this was believed to fall within the statute. It was so apprehended by queen Mary. Cardinal Pool was obliged to stay in Flanders till all those laws were repealed. But the king would not stay for that. The duke of Somerset, being the lord of the bed-chamber then in waiting, had advised with his lawyers: and they told him, he could not safely do the part that was expected of him in the audience. So he told the king that he could not serve him upon that occasion; for he was assured it was against the law. The king asked him, if he did not know that he was above the law. The other answered, that, whatever the king might be, he himself was not above the law. The king expressed a high displeasure, and turned him out of all employments\*. The ceremony passed very heavily: and the compliment was pronounced with so low a voice, that no person could hear it; which was believed done by concert.

When this was over, the king set out for his progress, and went from Salisbury all round as far as to Chester. In the places through which the king passed he saw a visible coldness both in the nobility and gentry, which was not easily borne by a man of his temper. In many places they pretended occasions to go out of their counties. Some stayed at home. And those who waited on the king seemed to do it rather out of duty and respect, than with any cordial affection. The king on his part was very obliging to all that came near him, and most particularly to the dissenters, and to those who had passed long under the notion of commonwealth's men. He looked very graciously on all that had been of the duke of Monmouth's party. He addressed his discourse generally to all sorts of people. He ran out on the point of liberty of conscience: he said, this was the true secret of the greatness and wealth of Holland. He was well pleased to hear all the ill-natured stories that were brought him of the violences committed of late, either by the justices of peace, or by the clergy. He everywhere recommended to them the choosing such parliament men, as would concur with him in settling this liberty as firmly as the Magna Charta had been: and to this he never forgot to add the taking away the tests. But he received such cold and general answers that he saw he could not depend on them. The king had designed to go through many more places: but the small success he had in those which he visited made him shorten his progress. He went and visited the queen at the Bath, where he stayed only a few days, two or three at most: and she continued on in her course of bathing. Many books were now written for liberty of conscience; and, since all people saw what security the tests gave, these spoke of an equivalent to be offered, that should give a further security beyond what could be pretended from the tests. It was never explained what was meant by this: so it was thought an artificial method to lay men asleep with a high sounding word. Some talked of new laws to secure civil liberty, which had been so much shaken by the practices of these last years, ever since the Oxford parliament. Upon this a very extravagant thing was given out, that the king was resolved to set up a sort of a commonwealth: and the papists began to talk everywhere very high for public liberty, trying by that to recommend themselves to the nation.

When the king came back from his progress, he resolved to change the magistracy in most of the cities of England. He began with London. He not only changed the court of aldermen, but the government of many of the companies of the city: for great powers had been reserved in the new charters that had been given, for the king to put in, and to put out, at pleasure: but it was said at the granting them, that these clauses were put in only to keep them in a due dependence on the court, but that they should not be made use of, unless great provocation was given. Now all this was executed with great severity and contempt. Those who had stood up for the king, during the debates about the exclusion, were now turned out with disgrace: and those who had appeared most violently against him were put

\* The duke of Grafton eventually introduced him. The conversation between James the Second and the duke of Somerset is very similarly told in an unpublished Life of the King, by the earl of Lonsdale.—Oxford edition of this work.

in the magistracy, who took liberties now in their turn to insult their neighbours. All this turned upon the king, who was so given up to the humours of his priests, that he sacrificed both his honour, and gratitude, as they dictated. The new men, who were brought in, saw this too visibly to be much wrought on by it.

The king threw off his old party in too outrageous a manner ever to return to them again. But he was much surprised to find that the new mayor and aldermen took the test, and ordered the observation of Gunpowder-treason day to be continued. When the sheriffs came, according to custom, to invite the king to the lord mayor's feast, he commanded them to go and invite the nuncio ; which they did. And he went upon the invitation, to the surprise of all who saw it. But the mayor and aldermen disowned the invitation ; and made an entry of it in their books, that the nuncio came without their knowledge. This the king took very ill. And upon it, he said, he saw the dissenters were an ill-natured sort of people, that could not be gained. The king signified to the lord mayor that he might use what form of worship he liked best in Guildhall chapel. The design in this was to engage the dissenters to make the first change from the established worship : and, if a presbyterian mayor should do this in one year, a popish mayor might do it in another. But the mayor put the decision of this upon persons against whom the court could have no exception. He sent to those, to whom the governing of the diocese of London was committed during the suspension, and asked their opinion in it ; which they could not but give in behalf of the established worship : and they added, that the changing it was against law. So this project miscarried ; and the mayor, though he went sometimes to the meetings of the dissenters, yet he came often to church, and behaved himself more decently than was expected of him.

This change in the city not succeeding as the court had expected, did not discourage them from appointing a committee to examine the magistracy in the other cities, and to put in, or out, as they saw cause for it. Some were putting the nation in hope that the old charters were to be restored. But the king was so far from that, that he was making every day a very arbitrary use of the power of changing the magistracy, that was reserved in the new charters. These regulators, who were for most part dissenters gained by the court, went on very boldly ; and turned men out upon every story that was made of them, and put such men in their room as they confided in. And in these they took their measures often so hastily, that men were put in one week, and turned out the other.

After this, the king sent orders to the lords-lieutenants of the counties, to examine the gentlemen and freeholders upon three questions. The first was, whether, in case they should be chosen to serve in parliament, they would consent to repeal the penal laws, and those for the tests. The second was, whether they would give their vote for choosing such men as would engage to do that. And the third was, whether they would maintain the king's declaration. In most of the counties the lords-lieutenants put those questions in so careless a manner, that it was plain they did not desire they should be answered in the affirmative. Some went further, and declared themselves against them. And a few of the more resolute refused to put them. They said, this was the prelimiting and packing of a parliament, which in its nature was to be free, and under no previous engagement. Many counties answered very boldly in the negative : and others refused to give any answer, which was understood to be equivalent to a negative. The mayor, and most of the new aldermen of London, refused to answer. Upon this many were turned out of all commissions.

This, as all the other artifices of the priests, had an effect quite contrary to what they promised themselves from it : for those who had resolved to oppose the court were more encouraged than ever, by the discovery now made of the sense of the whole nation in those matters. Yet such care was taken in naming the sheriffs and mayors that were appointed for the next year, that it was believed that the king was resolved to hold a parliament within that time, and to have such a house of commons returned, whether regularly chosen, or not, as should serve his ends.

It was concluded, that the king would make use both of his power and of his troops, either to force elections, or to put the parliament under a force when it should meet : for it was so positively said that the king would carry his point, and there was so little appearance of his being able to do it in a fair and regular way, that it was generally believed some very

desperate resolution was now taken up. His ministers were now so deeply engaged in illegal things, that they were very uneasy, and were endeavouring either to carry on his designs with success, so as to get all settled in a body that should carry the face and appearance of a parliament, or at least to bring him to let all fall, and to come into terms of agreement with his people; in which case, they reckoned, one article would be an indemnity for all that had been done.

The king was every day saying, that he was king, and he would be obeyed, and would make those who opposed him feel that he was their king; and he had both priests and flatterers about him, that were still pushing him forward. All men grew melancholy with this sad prospect. The hope of the true protestants was in the king's two daughters; chiefly on the eldest, who was out of his reach, and was known to be well instructed, and very zealous in matters of religion. The princess Anne was still very steadfast and regular in her devotions, and was very exemplary in the course of her life. But, as care had been taken to put very ordinary divines about her for her chaplains, so she had never pursued any study in those points with much application. And, all her court being put about her by the king and queen, she was beset with spies. It was therefore much apprehended that she would be strongly assaulted, when all other designs should so far succeed as to make that seasonable. In the mean while she was let alone by the king, who was indeed a very kind and indulgent father to her. Now he resolved to make his first attack on the princess of Orange. D'Albeville went over to England in the summer, and did not come back before the twenty-fourth of December, Christmas eve: and then he gave the princess a letter from the king, bearing date the fourth of November: he was to carry this letter; and his dispatches being put off longer than was intended, that made this letter come so late to her.

The king took the rise of his letter from a question she had put to D'Albeville, desiring to know what were the grounds upon which the king himself had changed his religion. The king told her, he was bred up in the doctrine of the church of England by Dr. Stewart, whom the king his father had put about him; in which he was so zealous, that when he perceived the queen his mother had a design upon the duke of Gloucester, though he preserved still the respect that he owed her, yet he took care to prevent it. All the while that he was beyond sea, no catholic, but one nun, had ever spoken one word to persuade him to change his religion; and he continued for the most part of that time firm to the doctrine of the church of England. He did not then mind those matters much; and, as all young people are apt to do, he thought it a point of honour not to change his religion. The first thing that raised scruples in him was, the great devotion that he had observed among catholics: he saw they had great helps for it: they had their churches better adorned, and did greater acts of charity, than he had ever seen among protestants. He also observed, that many of them changed their course of life, and became good Christians, even though they continued to live still in the world. This made him first begin to examine both religions. He could see nothing in the three reigns in which religion was changed in England, to incline him to believe that they who did it were sent of God. He read the history of that time, as it was written in the chronicle. He read both Dr. Heylin, and Hooker's preface to his Ecclesiastical Policy, which confirmed him in the same opinion. He saw clearly that Christ had left an infallibility in his church, against which "the gates of Hell cannot prevail;" and it appeared that this was lodged with St. Peter from our Saviour's words to him, St. Mat. xvi. ver. 18. Upon this the certainty of the Scriptures, and even of Christianity itself, was founded. The Apostles acknowledged this to be in St. Peter, Acts xv. when they said, "It seemed good to the Holy Ghost and to us." It was the authority of the church that declared the Scriptures to be canonical; and certainly they who declared them could only interpret them; and wherever this infallibility was, there must be a clear succession. The point of the infallibility being once settled, all other controversies must needs fall. Now the Roman church was the only church that either has infallibility, or that pretended to it. And they who threw off this authority did open a door to atheism and infidelity, and took people off from true devotion, and set even Christianity itself loose to all that would question it, and to Socinians and Latitudinarians who doubted of every thing. He had discoursed of these things with some divines of the church of England; but had received no

satisfaction from them. The Christian religion gained its credit by the miracles which the apostles wrought, and by the holy lives and sufferings of the martyrs, whose blood was the seed of the church. Whereas Luther and Calvin, and those who had set up the church of England, had their heads fuller of temporal matters than of spiritual, and had let the world loose to great disorders. Submission was necessary to the peace of the church; and when every man will expound the scriptures, this makes way to all sects, who pretend to build upon it. It was also plain, that the church of England did not pretend to infallibility; yet she acted as if she did; for ever since the reformation she had persecuted those who differed from her, dissenters as well as papists, more than was generally known. And he could not see why dissenters might not separate from the church of England, as well as she had done from the church of Rome. Nor could the church of England separate herself from the catholic church, any more than a county of England could separate itself from the rest of the kingdom. This, he said, was all that his leisure allowed him to write; but he thought that these things, together with the king his brother's papers, and the duchess's papers, might serve, if not to justify the catholic religion to an unbiassed judgment, yet at least to create a favourable opinion of it.

I read this letter in the original; for the prince sent it to me together with the princess's answer, but with a charge not to take a copy of either, but to read them over as often as I pleased; which I did till I had fixed both pretty well in my memory. And, as soon as I had sent them back, I sat down immediately to write out all that I remembered, which the princess owned to me afterwards, when she read the abstracts I made, were punctual almost to a tittle. It was easy for me to believe that this letter was all the king's inditing; for I had heard it almost in the very same words from his own mouth. The letter was written very decently, and concluded very modestly. The princess received this letter, as was told me, on the twenty-fourth of December, at night. Next day being Christmas-day, she received the sacrament, and was during the greatest part of the day in public devotions: yet she found time to draw first an answer, and then to write it out fair; and she sent it by the post on the twenty-sixth of December. Her draught, which the prince sent me, was very little blotted, or altered. It was long, about two sheets of paper; for, as an answer runs generally out into more length than the paper that is to be answered, so the strains of respect, with which her letter was full, drew it out to a greater length.

She began with answering another letter that she had received by the post; in which the king had made an excuse for failing to write the former post day. She was very sensible of the happiness of hearing so constantly from him; for no difference in religion could hinder her from desiring both his blessing and his prayers, though she was ever so far from him. As for the paper that M. Albeville delivered her, he told her, that his majesty would not be offended if she wrote her thoughts freely to him upon it.

She hoped he would not look on that as want of respect in her. She was far from sticking to the religion in which she was bred out of a point of honour; for she had taken much pains to be settled in it upon better grounds. Those of the church of England who had instructed her, had freely laid before her that which was good in the Romish religion, that so, seeing the good and the bad of both, she might judge impartially; according to the apostle's rule of "proving all things, and holding fast that which was good." Though she had come young out of England, yet she had not left behind her either the desire of being well informed, or the means for it. She had furnished herself with books, and had those about her who might clear any doubts to her. She saw clearly in the scriptures that she must work her own salvation with fear and trembling, and that she must not believe by the faith of another, but according as things appeared to herself. It ought to be no prejudice against the reformation, if many of those who professed it led ill lives. If any of them lived ill, none of the principles of their religion allowed them in it. Many of them led good lives, and more might do it by the grace of God. But there were many devotions in the church of Rome, on which the reformed could set no value.

She acknowledged that, if there was an infallibility in the church, all other controversies must fall to the ground; but she could never yet be informed where that infallibility was lodged: whether in the pope alone, or in a general council, or in both. And she desired to

know in whom the infallibility rested, when there were two or three popes at a time, acting one against another, with the assistance of councils, which they called general; and at least the succession was then much disordered. As for the authority that is pretended to have been given to St. Peter over the rest, that place which was chiefly alleged for it was otherwise interpreted by those of the church of England, as importing only the confirmation of him in the office of an apostle, when in answer to that question, "Simon, son of Jonas, lovest thou me," he had by a triple confession washed off his triple denial. The words that the king had cited were spoken to the other apostles, as well as to him. It was agreed by all, that the apostles were infallible, who were guided by God's holy spirit. But that gift, as well as many others, had ceased long ago. Yet in that, St. Peter had no authority over the other apostles; otherwise St. Paul understood our Saviour's words ill, who "withstood him to his face, because he was to be blamed." And if St. Peter himself could not maintain that authority, she could not see how it could be given to his successors, whose bad lives agreed ill with his doctrine.

Nor did she see, why the ill use that some made of the scriptures ought to deprive others of them. It is true, all sects made use of them, and find somewhat in them that they draw in to support their opinions: yet for all this our Saviour said to the Jews, "Search the Scriptures;" and St. Paul ordered his epistles to be read to all the Saints in the churches: and he says in one place, "I write as to wise men, judge what I say." And if they might judge an apostle, much more any other teacher. Under the law of Moses, the Old Testament was to be read, not only in the hearing of the scribes, and the doctors of the law, but likewise in the hearing of the women and children. And since God had made us reasonable creatures, it seemed necessary to employ our reason chiefly in the matters of the greatest concern. Though faith was above our reason, yet it proposed nothing to us that was contradictory to it. Every one ought to satisfy himself in these things: as our Saviour convinced Thomas, by making him to thrust his own hand into the print of the nails, not leaving him to the testimony of the other apostles, who were already convinced. She was confident that, if the king would hear many of his own subjects, they would fully satisfy him as to all those prejudices, that he had at the reformation; in which nothing was acted tumultuously, but all was done according to law. The design of it was only to separate from the Roman church, in so far as it had separated from the primitive church; in which they had brought things to as great a degree of perfection, as those corrupt ages were capable of. She did not see how the church of England could be blamed for the persecution of the dissenters; for the laws made against them were made by the State, and not by the church; and they were made for crimes against the state. Their enemies had taken great care to foment the division, in which they had been but too successful. But, if he would reflect on the grounds upon which the church of England had separated from the church of Rome, he would find them to be of a very different nature from those for which the dissenters had left it.

Thus, she concluded, she gave him the trouble of a long account of the grounds upon which she was persuaded of the truth of her religion: in which she was so fully satisfied, that she trusted by the grace of God that she should spend the rest of her days in it; and she was so well assured of the truth of our Saviour's words, that she was confident the gates of hell should not prevail against it, but that he would be with it to the end of the world. All ended thus, that the religion which she professed taught her her duty to him, so that she should ever be his most obedient daughter and servant.

To this the next return of the post brought an answer from the king, which I saw not. But the account that was sent me of it was: the king took notice of the great progress he saw the princess had made in her enquiries after those matters: the king's business did not allow him the time that was necessary to enter into the detail of her letter: he desired she would read those books that he had mentioned to her in his former letters, and some others that he intended to send her: and, if she desired to be more fully satisfied, he proposed to her to discourse about them with F. Morgan, an English jesuit then at the Hague.

I have set down very minutely every particular that was in those letters, and very nearly in the same words. It must be confessed, that persons of this quality seldom enter into such a discussion. The king's letter contained a studied account of the change of his religion,

which he had repeated often : and it was perhaps prepared for him by some others. There were some things in it, which, if he had made a little more reflection on them, it may be supposed he would not have mentioned. The course of his own life was not so strict, as to make it likely that the good lives of some papists had made such impressions upon him. The easy absolutions that are granted in that church, are a much juster prejudice in this respect against it, than the good lives of a few can be supposed to be an argument for it. The adorning their churches was a reflection that did no great honour to him that made it. The severities used by the church of England against the dissenters, were urged with a very ill grace by one of the church of Rome, that has delighted herself so often by being, as it were, bathed with the blood of those they call heretics : and, if it had not been for the respect that a daughter paid her father, here greater advantages might have been taken. I had a high opinion of the princess's good understanding, and of her knowledge in those matters, before I saw this letter : but this surprised me. It gave me an astonishing joy, to see so young a person all of the sudden, without consulting any one person, to be able to write so solid and learned a letter, in which she mixed with the respect that she paid a father so great a firmness, that by it she cut off all further treaty. And her repulsing the attack, that the king made upon her, with so much resolution and force, did let the popish party see, that she understood her religion as well as she loved it.

But now I must say somewhat of myself : after I had stayed a year in Holland, I heard from many hands, that the king seemed to forget his own greatness when he spoke of me, which he took occasion to do very often. I had published some account of the short tour I had made, in several letters ; in which my chief design was to expose both popery and tyranny. The book was well received, and was much read ; and it raised the king's displeasure very high \*.

My continuing at the Hague made him conclude, that I was managing designs against him. And some papers in single sheets came out, reflecting on the proceedings of England, which seemed to have a considerable effect on those who read them. These were printed in Holland ; and many copies of them were sent into all the parts of England. All which inflamed the king the more against me ; for he believed they were written by me, as indeed most of them were. But that which gave the crisis to the king's anger was, that he heard I was to be married to a considerable fortune at the Hague. So a project was formed to break this, by charging me with high treason for corresponding with lord Argyle, and for conversing with some that were outlawed for high treason.

The king ordered a letter to be written in his name to his advocate in Scotland, to prosecute me for some probable thing or other ; which was intended only to make a noise, not doubting but this would break the intended marriage. A ship coming from Scotland the day in which this prosecution was ordered, that had a quick passage, brought me the first news of it, long before it was sent to D'Albeville. So I petitioned the States, who were then sitting, to be naturalized, in order to my intended marriage. And this passed of course, without the least difficulty ; which perhaps might have been made, if this prosecution, now begun in Scotland, had been known. Now I was legally under the protection of the States of Holland ; yet I wrote a full justification of myself, as to all particulars laid to my charge, in some letters that I sent to the earl of Middleton. But in one of these I said, that, being now naturalized in Holland, my allegiance was, during my stay in these parts, transferred from his majesty to the States. I also said, in another letter, that, if upon my non-appearance a sentence should pass against me, I might be perhaps forced to justify myself, and to give an account of the share that I had in affairs these twenty years past ; in which I might be led to mention some things, that I was afraid would displease the king ; and therefore I should be sorry if I were driven to it.

Now the court thought they had somewhat against me ; for they knew they had nothing before. So the first citation was let fall, and a new one was ordered on these two accounts. It was pretended to be high treason to say my allegiance was now transferred ; and it was set forth, as a high indignity to the king, to threaten him with writing a history of the trans-

\* This was his " Travels through France, Italy, Germany, and Switzerland."

actions passed these last twenty years. The first of these struck at a great point, which was a part of the law of nations. Every man that was naturalized took an oath of allegiance to the prince, or state, that naturalized him. And, since no man can serve two masters, or be under a double allegiance, it is certain that there must be a transfer of allegiance, at least during the stay in the country where one is so naturalized.

This matter was kept up against me for some time, the court delaying proceeding to any sentence for several months. At last a sentence of outlawry was given; and upon that Albeville said, that, if the States would not deliver me up, he would find such instruments as should seize on me, and carry me away forcibly. The methods he named of doing this were very ridiculous. And he spoke of it to so many persons, that I believe his design was rather to frighten me, than that he could think to effect them. Many overtures were made to some of my friends in London, not only to let this prosecution fall, but to promote me, if I would make myself capable of it. I entertained none of these. I had many stories brought me of the discourses among some of the brutal Irish, then in the Dutch service; but, I thank God, I was not moved with them. I resolved to go on, and to do my duty, and to do what service I could to the public, and to my country; and resigned myself up entirely to that Providence that had watched over me to that time with an indulgent care, and had made all the designs of my enemies against me turn to my great advantage.

I come now to the year 1638, which proved memorable, and produced an extraordinary and unheard-of revolution. The year in this century made all people reflect on the same year in the former century, in which the power of Spain received so great a check, that the decline of that monarchy began then; and England was saved from an invasion, that, if it had succeeded as happily as it was well laid, must have ended in the absolute conquest, and utter ruin of the nation. Our books are so full of all that related to that armada, boasted to be invincible, that I need add no more to so known and so remarkable a piece of our history. A new eighty-eight raised new expectations, in which the surprising events did far exceed all that could have been looked for.

I begin the year with Albeville's negotiation after his coming to the Hague. He had before his going over given in a threatening memorial upon the business of Bantam, that looked like a prelude to a declaration of war; for he demanded a present answer, since the king could no longer bear the injustice done him in that matter, which was set forth in very high words. He sent this memorial to be printed at Amsterdam, before he had communicated it to the States. The chief effect that this had, was, that the actions of the company did sink for some days. But they rose soon again: and by this it was said, that Albeville himself made the greatest gain. The East-India fleet was then expected home every day. So the merchants, who remembered well the business of the Smyrna fleet in the year seventy-two, did apprehend that the king had sent a fleet to intercept them, and that this memorial was intended only to prepare an apology for that breach, when it should happen; but nothing of that sort followed upon it. The States did answer this memorial with another, that was firm, but more decently expressed: by their last treaty with England it was provided, that, in case any disputes should arise between the merchants of either side, commissioners should be named on both sides to hear and judge the matter: the king had not yet named any of his side; so that the delay lay at his door: they were therefore amazed to receive a memorial in so high a strain, since they had done all that by the treaty was incumbent on them. Albeville, after this, gave in another memorial, in which he desired them to send over commissioners for ending that dispute. But, though this was a great fall from the height in which the former memorial was conceived, yet in this the thing was so ill apprehended, that the Dutch had reason to believe that the king's ministers did not know the treaty, or were not at leisure to read it; for, according to the treaty, and the present posture of that business, the king was obliged to send over commissioners to the Hague to judge of that affair. When this memorial was answered, and the treaty was examined, the matter was let fall.

Albeville's next negotiation related to myself. I had printed a paper in justification of myself, together with my letters to the earl of Middleton; and he, in a memorial, complained of two passages in that paper. One was, that I said it was yet too early to persecute men

for religion, and therefore crimes against the state were pretended by my enemies : this, he said, did insinuate, that the king did in time intend to persecute for religion. The other was, that I had put in it an intimation, that I was in danger by some of the Irish papists. This, he said, was a reflection on the king, who hated all such practices. And to this he added, that by the laws of England all the king's subjects were bound to seize on any person that was condemned in his courts, in what manner soever they could : and therefore he desired, that both I, and the printer of that paper, might be punished. But now upon his return to the Hague, I being outlawed by that time, he demanded, that, in pursuance of an article of the treaty that related to rebels or fugitives, I might be banished the Provinces. And to this he craved once and again a speedy answer.

I was called before the deputies of the States of Holland, that I might answer the two memorials that lay before them relating to myself. I observed the difference between them. The one desired that the States would punish me, which did acknowledge me to be their subject. The other, in contradiction to that, laid claim to me as the king's rebel. As to the particulars complained of, I had made no reflection on the king ; but to the contrary. I said, my enemies found it was not yet time to persecute for religion. This insinuated, that the king could not be brought to it ; and no person could be offended with this, but he who thought it was now not too early to persecute. As to that of the danger in which I apprehended myself to be in, I had now more reason than before to complain of it, since the envoy had so publicly affirmed, that every one of the king's subjects might seize on any one that was condemned, in what manner soever they could, which was either dead or alive. I was now the subject of the States of Holland, naturalized in order to a marriage among them, as they all knew ; and therefore I claimed their protection. So, if I was charged with any thing that was not according to law, I submitted myself to their justice. I should decline no trial, nor the utmost severity, if I had offended in any thing. As for the two memorials that claimed me as a fugitive and a rebel, I could not be looked on as a fugitive from Scotland. It was now fourteen years since I had left that kingdom, and three since I came out of England with the king's leave. I had lived a year in the Hague openly ; and nothing was laid to my charge. As for the sentence that was pretended to be passed against me, I could say nothing to it, till I saw a copy of it.

The States were fully satisfied with my answers ; and ordered a memorial to be drawn according to them. They also ordered their ambassador to represent to the king that he himself knew how sacred a thing naturalization was. The faith and honour of every state was concerned in it. I had been naturalized upon marrying one of their subjects, which was the justest of all reasons. If the king had any thing to lay to my charge, justice should be done in their courts. The king took the matter very ill ; and said, it was an affront offered him, and a just cause of war. Yet, after much passion, he said, he did not intend to make war upon it ; for he was not then in a condition to do it. But he knew there were designs against him, to make war on him, against which he should take care to secure himself ; and he should be on his guard. The ambassador asked him, of whom he meant that. But he did not think fit to explain himself further. He ordered a third memorial to be put in against me, in which the article of the treaty was set forth ; but no notice was taken of the answers made to that by the States : but it was insisted on, that, since the States were bound not to give sanctuary to fugitives and rebels, they ought not to examine the grounds on which such judgments were given, but were bound to execute the treaty. Upon this it was observed, that the words in treaties ought to be explained according to their common acceptation, or the sense given them in the civil law, and not according to any particular forms of courts, where for non-appearance a writ of outlawry, or rebellion, might lie. The sense of the word rebel in common use was, a man that had borne arms, or had plotted against his prince ; and a fugitive was a man that fled from justice. The heat with which the king seemed inflamed against me, carried him to say, and do, many things that were very little to his honour.

I had advertisements sent me of a further progress in his designs against me. He had it suggested to him, that, since a sentence was passed against me for non-appearance, and the States refused to deliver me up, he might order private persons to execute the sentence

as they could: and it was written over very positively, that 5,000*l.* would be given to any one that should murder me. A gentleman of an unblemished reputation wrote me word, that he himself by accident saw an order drawn in the secretary's office, but not yet signed, for 3,000*l.* to a blank person that was to seize, or destroy, me\*. And he also affirmed, that prince George had heard of the same thing, and had desired the person to whom he trusted it to convey the notice of it to me: and my author was employed by that person to send the notice to me. The king asked Jeffreys what he might do against me in a private way, now that he could not get me into his hands. Jeffreys answered, he did not see how the king could do any more than he had done. He told this to Mr. Kirk to send it to me; for he concluded the king was resolved to proceed to extremities, and only wanted the opinion of a man of the law to justify a more violent method. I had so many different advertisements sent me of this, that I concluded a whisper of such a design might have been set about, on design to frighten me into some mean submission, or into silence at least: but it had no other effect on me, but that I thought fit to stay more within doors, and to use a little more than ordinary caution. I thank God, I was very little concerned at it. I resigned up my life very freely to God. I knew my own innocence, and the root of all the malice that was against me. And I never possessed my own soul in a more perfect calm, and in a clearer cheerfulness of spirit, than I did during all those threatenings, and the apprehensions that others were in concerning me.

Soon after this a letter written by Fagel, the pensioner of Holland, was printed; which leads me to look back a little into a transaction that passed the former year. There was one Steward, a lawyer of Scotland, a man of great parts, and of as great ambition. He had given over the practice of the law, because all that were admitted to the bar in Scotland were required to renounce the covenant, which he would not do. This recommended him to the confidence of that whole party. They had made great use of him, and trusted him entirely. Penn had engaged him, who had been long considered by the king, as the chief manager of all the rebellions and plots that had been on foot these twenty years past, more particularly of Argyle's, to come over: and he undertook that he should not only be received into favour, but into confidence. He came, before he crossed the seas, to the prince, and promised an inviolable fidelity to him, and to the common interests of religion and liberty. He had been often with the pensioner, and had a great measure of his confidence. Upon his coming to court, he was caressed to a degree that amazed all who knew him. He either believed that the king was sincere in the professions he made, and that his designs went no further than to settle a full liberty of conscience; or, he thought, that it became a man who had been so long in disgrace, not to shew any jealousies at first, when the king was so gracious to him. He undertook to do all that lay in his power to advance his designs in Scotland, and to represent his intentions so at the Hague, as might incline the prince to a better opinion of them.

He opened all this in several letters to the pensioner: and in these he pressed him vehemently, in the king's name, and by his direction, to persuade the prince to concur with the king in procuring the laws to be repealed. He laid before him the inconsiderable number of the papists: so that there was no reason to apprehend much from them. He also enlarged on the severities that the penal laws had brought on the dissenters. The king was resolved not to consent to the repealing them, unless the tests were taken away with them; so that the refusing to consent to this might at another time bring them under another severe prosecution. Steward, after he had written many letters to this purpose without receiving any answers, tried if he could serve the king in Scotland with more success, than it seemed he was likely to have at the Hague. But he found there, that his old friends were now much alienated from him, looking on him as a person entirely gained by the court.

The pensioner laid all his letters before the prince. They were also brought to me. The prince upon this thought, that a full answer made by Fagel, in such a manner as that it might be published as a declaration of his intentions, might be of service to him in many

\* Burnet's informant was lord Ossory, afterwards duke of Ormond.—Burnet's Life by his Son.

respects ; chiefly in popish courts, that were on civil accounts inclined to an alliance against France, but were now possessed with an opinion of the prince, and of his party in England, as designing nothing but the ruin and extirpation of all the papists in those kingdoms. So the pensioner wrote a long answer to Steward, which was put in English by me.

He began it with great assurances of the prince and princess's duty to the king. They were both of them much against all persecution on the account of religion. They freely consented to the covering papists from the severities of the laws made against them on the account of their religion, and also that they might have the free exercise of it in private. They also consented to grant a full liberty to dissenters ; but they could not consent to the repeal of those laws, that tended only to the securing the protestant religion ; such as those concerning the tests, which imported no punishment, but only an incapacity of being in public employments, which could not be complained of as great severities. This was a caution observed in all nations, and was now necessary, both for securing the public peace and the established religion. If the numbers of the papists were so small as to make them inconsiderable, then it was not reasonable to make such a change for the sake of a few ; and if those few, that pretended to public employments, would do all their own party so great a prejudice, as not to suffer the king to be content with the repeal of the penal laws, unless they could get into the offices of trust, then their ambition was only to be blamed, if the offers now made were not accepted. The matter was very strongly argued through the whole letter ; and the prince and princess's zeal for the protestant religion was set out in terms, that could not be very acceptable to the king. The letter was carried by Steward to the king, and was brought by him into the cabinet council ; but nothing followed then upon it. The king ordered Steward to write back, that he would either have all, or nothing. All the lay-papists of England, who were not engaged in the intrigues of the priests, pressed earnestly that the king would accept of the repeal of the penal laws ; which was offered, and would have made them both easy and safe for the future. The emperor was fully satisfied with what was offered ; and promised to use his interest at Rome, to get the pope to write to the king to accept of this, as a step to the other : but I could not learn whether he did it, or not. If he did, it had no effect. The king was in all points governed by the jesuits, and the French ambassador.

Father Petre, as he had been long in the confidence, was now brought to the council board, and made a privy councillor : and it was given out that the king was resolved to get a cardinal's cap for him, and to make him archbishop of York. The pope was still firm to his resolution against it : but it was hoped that the king would conquer it, if not in the present, yet at furthest in the next pontificate. The king resolved at the same time not to disgust the secular priests : so bishop Leyburn, whom cardinal Howard had sent over with the episcopal character, was made much use of in appearance, though he had no great share in the counsels. There was a faction formed between the世俗s and the jesuits, which was sometimes near breaking out into an open rupture. But the king was so partial to the jesuits, that the others found they were not on equal terms with them. There were three other bishops consecrated for England. And these four were ordered to make a progress and circuit over England, confirming, and doing other episcopal offices, in all the parts of England. Great numbers gathered about them, wheresoever they went.

The Jesuits thought all was sure, and that their scheme was so well laid that it could not miscarry ; and they had so possessed that contemptible tool of theirs, Albeville, with this, that he seemed upon his return to the Hague to be so sanguine, that he did not stick to speak out, what a wiser man would have suppressed though he had believed it. One day, when the prince was speaking of the promises the king had made, and the oath that he had sworn to maintain the laws and the established church, he, instead of pretending that the king still kept his word, said, upon some occasions princes must forget their promises. And, when the prince said, that the king ought to have more regard to the church of England, which was the main body of the nation, Albeville answered, that the body which he called the church of England would not have a being two years to an end. Thus he spoke out the designs of the court, both too early and too openly ; but at the same time he behaved himself in all

other respects so poorly, that he became the jest of the Hague. The foreign ministers, M. d'Avaux, the French ambassador, not excepted, did not know how to excuse, or bear with, his weakness, which appeared on all occasions and in all companies.

What he wrote to England upon his first audiences was not known; but it was soon after spread up and down the kingdom, very artificially and with much industry, that the prince and princess had now consented to the repeal of the tests, as well as of the penal laws. This was written over by many hands to the Hague. The prince, to prevent the ill effects that might follow on such reports, gave orders to print the pensioner's letter to Steward; which was sent to all the parts of England, and was received with an universal joy. The dissenters saw themselves now safe in his intentions towards them. The church party was confirmed in their zeal for maintaining the tests. And the lay papists seemed likewise to be so well pleased with it, that they complained of those ambitious priests, and hungry courtiers, who were resolved, rather than lay down their aspirings and other projects, to leave them still exposed to the severities of the laws, though a freedom from these was now offered to them. But it was not easy to judge, whether this was sincerely meant by them, or if it was only a popular art, to recommend themselves under such a moderate appearance. The court saw the hurt that this letter did them. At first they hoped to have stifled it by calling it an imposture. But when they were driven from that, the king began to speak severely and indecently of the prince, not only to all about him, but even to foreign ministers: and resolved to put such marks of his indignation upon him, as should let all the world see how deep it was.

There were six regiments of the king's subjects, three English and three Scotch, in the service of the States. Some of them were old regiments, that had continued in their service during the two wars in the late king's reign. Others were raised since the peace in seventy-three. But these came not into their service under any capitulation, that had reserved an authority to the king to call for them at his pleasure. When Argyle and Monmouth made their invasion, the king desired that the States would lend them to him. Some of the towns of Holland were so jealous of the king, and wished Monmouth's success so much, that the prince found some difficulty in obtaining the consent of the States to send them over. There was no distinction made among them between papists and protestants, according to a maxim of the States with relation to their armies: so there were several papists in those regiments. And the king had showed such particular kindness to these, while they were in England, that at their return they formed a faction which was breeding great distractions among them. This was very uneasy to the prince, who began to see that he might have occasion to make use of those bodies, if things should be carried to a rupture between the king and him: and yet he did not know how he could trust them, while such officers were in command. He did no see neither how he could get rid of them well. But the king helped him out of that difficulty: he wrote to the States, that he had occasion for the six regiments of his subjects that were in their service, and desired that they should be sent over to him.

This demand was made all of the sudden, without any previous application to any of the States, to dispose them to grant it, or to many of the officers to persuade them to ask their congé to go over. The States pretended the regiments were theirs: they had paid levy money for them, and had them under no capitulation: so they excused themselves, that they could not part with them. But they gave orders, that all the officers that should ask their congé, should have it. Thirty, or forty, came and asked, and had their congé. So now the prince was delivered from some troublesome men by this management of the king's. Upon that, these bodies were so modelled, that the prince knew that he might depend entirely on them: and he was no more disturbed by those insolent officers, who had for some years behaved themselves rather as enemies, than as persons in the States' pay.

The discourse of a parliament was often taken up, and as often let fall: and it was not easy to judge in what such fluctuating counsels would end. Father Petre had gained such an ascendant, that he was considered as the first minister of state. The nuncio had moved the king to interpose, and mediate a reconciliation between the court of Rome and France. But he answered, that, since the pope would not gratify him in the promotion of father Petre, he would leave him to free himself of the trouble, into which he had involved himself,

the best way he could. And our court reckoned, that as soon as the pope felt himself pressed, he would fly to the king for protection, and grant him everything that he asked of him in order to obtain it. That Jesuit gave daily new proofs of a weak and ill-governed passion, and discovered all the ill qualities of one, that seemed raised up to be the common incendiary, and to drive the king and his party to the precipice.

Towards the end of April the king though fit to renew the declaration that he had set out the former year for liberty of conscience, with an addition, declaring that he would adhere firmly to it, and that he would put none in any public employments, but such as would concur with him in maintaining it. He also promised, that he would hold a parliament in the November following. This promise of a parliament so long beforehand was somewhat extraordinary. Both father Petre, and Penn, engaged the king to it, but with a different prospect. Penn, and all the tools who were employed by him, had still some hopes of carrying a parliament to agree with the king, if too much time was not lost: whereas the delaying a parliament raised jealousies, as if none were intended, but that it was only talked of to amuse the nation till other designs were ripe.

On the other hand, father Petre and his cabal saw that the king was kept off from many things that they proposed, with the expectation of the concurrence of a parliament: and the fear of giving new disgusts, which might obstruct that, had begotten a caution that was very uneasy to them. They thought that much time was already lost, and that they made but a small progress. They began to apprehend that the regulators, who were still feeding them with hopes, and were asking more time, and more money, did intend only to amuse them, and to wear out the business into more length, and to keep themselves the longer in credit and in pay; but that they did not in their hearts wish well to the main design, and therefore acted but an insincere part with the king. Therefore they resolved to put that matter to the last trial, reckoning that, if the king saw it was in vain to hope for anything in a parliamentary way, he might be more easily carried to extreme and violent methods.

The king was not satisfied with the publishing his declaration: but he resolved to oblige the clergy to read it in all their churches in the time of divine service. And now it appeared what bad effects were likely to follow on that officious motion that Sancroft had made, for obliging the clergy to read the declaration that king Charles set out in the year 1681, after the dissolution of the Oxford parliament. An order passed in council, requiring the bishops to send copies of the declaration to all their clergy, and to order them to read it on two several Sundays in time of divine service.

This put the clergy under great difficulties. And they were at first much divided about it. Even many of the best and worthiest of them were under some distraction of thought. They had many meetings, and argued the point long among themselves, in and about London. On the one hand it was said, that if they refused to read it, the king would proceed against them for disobedience. It did not seem reasonable to run so great a hazard upon such a point, that was not strong enough to bear the consequences that might follow on a breach. Their reading it did not import their approving it. But was only a publication of an act of their king's. So it was proposed, to save the whole, by making some declaration, that their reading it was a mere act of obedience, and did not import any assent and approbation of theirs. Others thought, that the publishing this in such manner was only imposed on them, to make them odious and contemptible to the whole nation, for reading that which was intended for their ruin. If they carried their compliance so far, that might provoke the nobility and gentry to carry theirs much further. If they once yielded the point, that they were bound to read every declaration, with this salvo that it did not import their approving it, they would be then bound to read everything that should be sent to them: the king might make declarations in favour of all the points of popery, and require them to read them: and they could not see where they must make their stops, if they did it not now. So it seemed necessary to fix on this, as a rule, that they ought to publish nothing in time divine service but that which they approved of. The point at present was not whether toleration was a lawful, or an expedient, thing. The declaration was founded on the claim of a dispensing power, which the king did now assume, that tended to the total subversion of the government, and the making it arbitrary; whereas, by the constitution, it was a legal

administration. It also allowed such an infinite liberty, with the suspension of all penal laws, and that without any limitation, that paganism itself might be now publicly professed. It was visible, that the design in imposing the reading of it on them was only to make them ridiculous, and to make them contribute to their own ruin. As for the danger that they might incur, they saw their ruin was resolved on : and nothing they could do was likely to prevent it, unless they would basely sacrifice their religion to their worldly interests. It would be perhaps a year sooner, or later, by any other management : it was therefore fit, that they should prepare themselves for suffering ; and not endeavour to prevent it by doing that, which would draw on them the hatred of their friends, and the scorn of their enemies.

These reasons prevailed : and they resolved not to read the declaration. They saw of what importance it was that they should be unanimous in this. Nothing could be of more fatal consequence than their being divided in their practice. For, if any considerable body of the clergy, such as could carry the name of the church of England, could have been prevailed on to give obedience, and only some number, how valuable soever the men might be, should refuse to obey ; then the court might still pretend that they would maintain the church of England, and single out all those who had not given obedience, and fall on them, and so break the church within itself upon this point, and then destroy the one half by the means of the rest. The most eminent were resolved not to obey : and those who might be prevailed on to comply would by that means fall under such contempt, that they could not have the credit or strength to support the established religion. The court depended upon this, that the greater part would obey : and so they would be furnished with a point of state, to give a colour for turning out the disobedient, who were likely to be the men that stood most in their way, and crossed their designs most, both with their learning and credit.

Those few bishops that were engaged in the design of betraying the church, were persuaded that this would be the event of the matter : and they possessed the king with the hope of it so positively, that he seemed to depend upon it. The correspondence over England was managed with that secrecy, that these resolutions were so communicated to the clergy in the country, that they were generally engaged to agree in their conduct, before the court came to apprehend that they would be so unanimous, as it proved in conclusion that they were.

The archbishop of Canterbury, Sancroft, resolved upon this occasion to act suitably to his post and character. He wrote round his province, and desired that such of the bishops as were able would come up and consult together in a matter of this great concern : and he asked the opinion of those whom their age and infirmities disabled from taking the journey. He found that eighteen of the bishops, and the main body of the clergy, concurred in the resolution against reading the declaration. So he, with six of the bishops that came up to London, resolved, in a petition to the king, to lay before him the reasons that determined them not to obey the order of council that had been sent them : this flowed from no want of respect to his majesty's authority, nor from any unwillingness to let favour be shown to dissenters ; in relation to whom they were willing to come to such a temper as should be thought fit when that matter should be considered and settled in parliament and convocation : but, this declaration being founded on such a dispensing power as had been often declared illegal in parliament, both in the year 1662 and in the year 1672, and in the beginning of his own reign, and was a matter of so great consequence to the whole nation, both in church and state, they could not in prudence, honour, and conscience, make themselves so far parties to it, as the publication of it once and again in God's house, and in the time of divine service, must amount to.

The archbishop was then in an ill state of health. So he sent over the six bishops with the petition to the king, signed by himself and the rest. The king was much surprised with this, being flattered and deceived by his spies. Cartwright, bishop of Chester, was possessed with a story that was too easily believed by him, and was by him carried to the king, who was very apt to believe everything that suited with his own designas. The story was, that the bishops intended, by a petition to the king, to let him understand that orders of this kind used to be addressed to their chancellors, but not to themselves ; and to pray him to continue that method : and that by this means they hoped to get out of this difficulty. This was very acceptable to the court, and procured the bishops a quick admittance. And they had

proceeded so carefully that nothing concerted among them had broken out ; for they had been very secret and cautious. The king, when he heard their petition, and saw his mistake, spoke roughly to them. He said, he was their king, and he would be obeyed : and they should be made to feel what it was to disobey him. The six bishops, were St. Asaph, Ely, Bath and Wells, Peterborough, Chichester, and Bristol. The answer they made the king was in these words : “ The will of God be done.” And they came from the court in a sort of triumph. Now matters were brought to a crisis. The king was engaged on his part, as the bishops were on theirs. So all people looked on with great expectations, reckoning that upon the issue of this business a great decision would be made, both of the designs of the court, and of the temper of the nation.

The king consulted for some days with all that were now employed by him, what he should do upon this emergent ; and talked with people of all persuasions. Lob, an eminent man among the dissenters, who was entirely gained to the court, advised the king to send the bishops to the Tower. Father Petre seemed now as one transported with joy : for he thought the king was engaged to break with the church of England. And it was reported that he broke out into that indecent expression upon it, that they should be made to eat their own dung. The king was long in doubt. Some of the popish nobility pressed him earnestly to let the matter fall : for now it appeared, that the body of the clergy were resolved not to read the declaration. Those who did obey were few and inconsiderable. Only seven obeyed in the city of London, and not above two hundred all England over : and of these some read it the first Sunday, but changed their minds before the second. others declared in their sermons, that though they obeyed the order, they did not approve of the declaration : and one, more pleasantly than gravely, told his people that, though he was obliged to read it, they were not obliged to hear it ; and he stopped till they all went out, and then he read it to the walls. In many places, as soon as the minister began to read it, all the people rose and went out\*.

The king did what he could to encourage those that did obey his order. Parker, bishop of Oxford, died about this time. He wrote a book against the tests full of petulant scurility, of which I shall only give one instance. He had reflected much on the whole popish plot, and on Oates’s evidence : and upon that he called the test, the sacrament of the Oatesian villainy. He treated the parliament, that enacted the tests, with a scorn that no popish writer had yet ventured on : and he said much to excuse transubstantiation, and to free the church of Rome from the charge of idolatry. This raised such a disgust at him, even in those that had been formerly but too much influenced by him, that, when he could not help seeing that, he sunk upon it. I was desired to answer his book with the severity that he deserved : and I did it with an acrimony of style, that nothing but such a time, and such a man, could in any sort excuse. It was said, the king sent him my papers, hearing that nobody else durst put them in his hands, hoping that it would raise his indignation, and engage him to answer them. One Hall, a conformist in London, who was looked on as half a presbyterian, yet, because he read the declaration, was made bishop of Oxford. One of the popish bishops was upon the king’s mandamus chosen, by the illegal fellows of Magdalen’s college, their president. The sense of the nation, as well as of the clergy, had appeared so signally on this occasion, that it was visible, that the king had not only the seven petitioning bishops to deal with, but the body of the whole nation, both clergy and laity.

The violent advices of father Petre, and the Jesuit party, were so fatally suited to the king’s own temper and passion, that they prevailed over the wiser counsels of almost all that were advised with. But the king, before he would bring the matter to the council, secretly engaged all the privy councillors to concur with him : and, after a fortnight’s consultation, the bishops were cited to appear before the council. The petition was offered to them ; and they were asked if they owned it to be their petition. They answered, it seemed they were

\* The earl of Dartmouth says he was then at Westminster school. As soon as bishop Sprat, who was then dean, gave order for the declaration being read, there was so great a murmur and noise in the Abbey, that no one could hear him ; but, before he had finished, there was

none left but a few prebendaries in their stalls, the choristers, and Westminster scholars. The bishop could hardly hold the proclamation for trembling, and every one looked under a strange consternation.—Oxford edition of this work.

to be proceeded against upon that account ; so they hoped the king would not press them to a confession, and then make use of it against them : after they had offered this, they owned the petition. They were next charged with the publication of it ; for it was then printed. But they absolutely denied that was done by their means. The archbishop had written the petition all in his own hand, without employing any person to copy it out : and though there was one draught written of the petition, as it was agreed on, from which he had written out the original which they had all signed, yet he had kept that still in his own possession, and had never shown it to any person : so it was not published by them : that must have been done by some of those to whom the king had shown it.

They were in the next place required to enter into bonds, to appear in the court of king's bench, and answer to an information of misdemeanor. They excepted to this ; and said, that by their peerage they were not bound to do it. Upon their insisting on this, they were sent to the Tower, by a warrant signed by the whole board, except father Petre, who was passed over by the king's order. This set the whole city into the highest fermentation that was ever known in memory of man. The bishops were sent by water to the Tower : and all along as they passed the banks of the river were full of people, who kneeled down and asked their blessing, and with loud shouts expressed their good wishes for them, and their concern in their preservation. The soldiers, and other officers in the Tower, did the same. An universal consternation appeared in all people's looks. But the king was not moved with all this. And, though two days after, upon the queen's pretended delivery, the king had a fair occasion to have granted a general pardon, to celebrate the joy of that birth (and it was given out by those papists that had always affected to pass for moderate men, that they had all pressed this vehemently), the king was inflexible : he said, his authority would become contemptible, if he suffered such an affront to pass unpunished.

A week after their commitment, they were brought upon a habeas corpus to the king's bench bar, where their counsel offered to make it appear to be an illegal commitment : but the court allowed it good in law. They were required to enter into bonds for small sums, to answer to the information that day fortnight.

The bishops were discharged of their imprisonment : and people of all sorts ran to visit them as confessors, one company going in as another went out. The appearance in Westminster-hall was very solemn : about thirty of the nobility accompanying them. All the streets were full of shoutings the rest of the day, and with bonfires at night.

When the day fixed for their trial came, there was a vast concourse. Westminster-hall, and all the places about, were full of people, who were strangely affected with the matter. Even the army, that was then encamped on Hounslow Heath, showed such a disposition to mutiny, that it gave the king no small uneasiness. The trial came on, which was chiefly managed against the bishops by sir William Williams. He had been speaker in two successive parliaments, and was a zealous promoter of the exclusion : and he had continued many years a bold pleader in all causes against the court : but he was a corrupt and vicious man, who had no principles, but followed his own interests. Sawyer, the attorney-general, who had for many years served the ends of the court in a most abject and obsequious manner, would not support the dispensing power : so he was turned out, Powis being advanced to be attorney-general : and Williams was made solicitor-general. Powis acted his part in this trial as fairly as his post could admit of. But Williams took very indecent liberties. And he had great advantages over Sawyer and Finch, who were among the bishops' counsel, by reflecting on the precedents and proceedings during their being the king's counsel. The king's counsel could not have full proof that the bishops' hands were truly theirs, and were forced to have recourse to the confession they had made at the council board : which was thought very dishonourable, since they had made that confession in confidence, trusting to the king's honour, though it did not appear that any promise was made, that no advantage should be taken of that confession. No proof was brought of their publishing it, which was the main point. The presenting it to the king, and afterwards their owning it to be their petition, when it was put to them at the council board, was all that the king's counsel could offer for proof of this ; which was an apparent strain, in which even those judges that were

the surest to the court, did not seem to be satisfied. It was much urged against them, that this petition was a libel, tending to the defaming the king's government.

But to this it was answered, that they having received an order, to which they found they could not give obedience, thought it was incumbent on them, as bishops and as subjects, to lay before the king their reasons for it: all subjects had a right to petition the king: they, as peers, were of his great council, and so had yet a better claim to that: and that more particularly in matters of religion; for the act of uniformity in queen Elizabeth's time had required them under a curse to look carefully after those matters; the dispensing power had been often brought into debate in parliament, and was always voted to be against law: and the late king had yielded the point by recalling his declaration: so they thought, they had a right to represent these things to the king. And occasion was often taken to reflect on the dispensing power. To this the king's counsel replied, that the votes of one, or both houses were not laws, till they were enacted by king and parliament: and the late king's passing once from a point of his prerogative did not give it up, but only waved it for that time: they urged much the sacredness of the king's authority; that a paper might be true in fact, and yet be a libel; that in parliament the two houses had a right to petition, but it was sedition to do it in a point of government out of parliament.

The trial did last long, above ten hours. The crowds continued in expectation all the while, and expressed so great a concern for the bishops, that the witnesses who were brought against them were not only treated with much scorn and loud laughter upon every occasion, but seemed to be in such danger, that they escaped narrowly, going away by a back passage. Two of the judges, Powel and Halloway, delivered their opinion, that there was no seditious matter in the petition, and that it was no libel. Wright was now brought into this court and made chief justice; and Herbert was made chief justice of the common pleas: Herbert was with the court in the main of the king's dispensing power, but was against them in most particulars: so he could not serve their ends in this court. Wright was the more proper tool. He in his charge called the petition a libel: but he did not think the publication was proved.

The jury was fairly returned. When they were shut up, they were soon agreed upon their verdict, to acquit the bishops. But it was thought to be both the more solemn, and the safer way, to continue shut up till the morning. The king still flattered himself with the hope that the bishops would be brought in guilty. He went that morning to the camp: for the ill humour the army was in the day before, made him think it necessary to go and keep them in awe and order, by his own presence.

The court sat again next day. And then the jury came in with their verdict. Upon which there were such shoutings, so long continued, and as it were echoed into the city, that all people were struck with it. Every man seemed transported with joy. Bonfires were made all about the streets. And the news going over the nation, produced the like rejoicings and bonfires all England over. The king's presence kept the army in some order. But he was no sooner gone out of the camp, than he was followed with an universal shouting, as if it had been a victory obtained\*. And so fatally was the king pushed on to his ruin, that

\* The following are more particular details, relative to this memorable transaction. The petition was as follows:

“ *The Petition of some of the Bishops to King James the Second, against promulgating his ‘Declaration for liberty of conscience.’* ”

“ To the King’s Most Excellent Majesty.

“ The humble Petition of William, Archbishop of Canterbury, and of divers of the suffragan Bishops of that province, now present with him, in behalf of ourselves and other of our absent brethren, and of the Clergy of our respective dioceses.

“ HUMBLY SHEWATH,

“ That the great averseness they find in themselves to the distributing and publishing, in all their churches, your Majesty’s late declaration for liberty of conscience, proceedeth neither from any want of duty and obedience to

your Majesty, (our holy mother, the Church of England, being, both in her principles and constant practice, unquestionably loyal; and having, to her great honour, been more than once publicly acknowledged to be so by your gracious Majesty,) nor yet from any want of due tenderness to Dissenters: in relation to whom they are willing to come to such a temper, as shall be thought fit, when that matter shall be considered and settled in Parliament and Convocation; but, among many other considerations, from this especially, because that declaration is founded upon such a dispensing power, as hath been often declared illegal in Parliament; and particularly in the years 1662 and 1672, and in the beginning of your Majesty’s reign; and is a matter of so great moment and consequence to the whole nation, both in Church and State, that your petitioners cannot in prudence, honour, or conscience, so far make themselves parties to it, as the distribution of it

he seemed not to be, by all this, enough convinced of the folly of those violent counsels. He intended still to pursue them. It was therefore resolved on, to bring this matter of the contempt of the order of council, in not reading the declaration, before the ecclesiastical commission

all over the nation, and the solemn publication of it once and again, even in God's house, and in the time of his divine service, must amount to in common and reasonable construction.

"Your petitioners, therefore, most humbly and earnestly beseech your Majesty, that you will be graciously pleased not to insist upon the distributing and reading your Majesty's said declaration.

"And your petitioners will ever pray, &c."—Singer's Clarendon Corr. ii. 478.

This petition was signed by William Sancroft, archbishop of Canterbury; William Lloyd, bishop of St. Asaph; Francis Turner, of Ely; John Lake, of Chichester; Thomas Ken, of Bath and Wells; Thomas White, of Peterborough; and Jonathan Trelawney, of Bristol. It was signed in the presence of, and consented to, by Henry, bishop of London<sup>a</sup>; Dr. Tillotson, dean of Canterbury; Stillingfleet, dean of St. Paul's; Patrick, dean of Peterborough; Tenison, vicar of St. Martin's in the Fields; Grove, rector of St. Andrew's Undershaft; and Sherlock, master of the Temple.

When the bishops came to present the petition, they were "brought to the king in his closet within his bedchamber, where the bishop of St. Asaph, with the rest, all being upon their knees, delivered the petition to his majesty. He was pleased at first to receive the petitioners and their petition graciously, and, having opened it, said, 'This is my lord of Canterbury's own hand.' To which the bishops replied, 'Yes, Sir; it is his own hand.' But the king, having read it over, and then folding it up, said thus, or to this effect :

*King.* This is a great surprise to me : here are strange words. I did not expect this from you ; especially from some of you. This is a standard of rebellion.

*St. Asaph*, and some of the rest, replied, that they had adventured their lives for his majesty, and would lose the last drop of their blood, rather than lift up a finger against him.

*King.* I tell you this is a standard of rebellion : I never saw such an address.

*Bristol*, falling down on his knees, said, *Rebellion!* Sir, I beseech you, do not say so hard a thing of us. For God's sake, do not believe we are, or can be, guilty of rebellion ; it is impossible that I, or any of my family, should be so. Your majesty cannot but remember that you sent me down into Cornwall, to quell Monmouth's rebellion ; and I am as ready to do what I can to quell another, if there were occasion.

*Chichester.* Sir, we have quelled one rebellion, and will not raise another.

*Ely.* We rebel ! Sir, we are ready to die at your feet.

*Bath and Wells.* Sir, I hope you will give that liberty to us, which you allow to all mankind.

*Peterborough.* Sir, you allow liberty of conscience to all mankind : the reading this declaration is against our conscience.

*King.* I will keep this paper. It is the strangest address which I ever saw : it tends to rebellion. Do you question my dispensing power ? Some of you here have printed and preached for it, when it was for your purpose.

*Peterborough.* Sir, what we say of the dispensing power, refers only to what was declared in parliament.

*King.* The dispensing power was never questioned by the men of the church of England.

*St. Asaph.* It was declared against in the first parliament called by his late majesty, and by that which was called by your majesty.

The *King*, insisting upon the tendency of the petition to rebellion, said, he would have his declaration published.

*Bath and Wells.* We are bound to fear God, and honour the king : we desire to do both. We will honour you ; we must fear God.

*Bristol.* We will do our duty to your majesty in every thing to the utmost, which does not interfere with our duty to God.

*King.* Is this what I have deserved of you, who have supported the church of England, and will support it ? I will remember you that have signed this paper : I will keep this paper ; I will not part with it. I did not expect this from you ; especially from some of you : I will be obeyed in publishing my declaration.

*Bath and Wells.* God's will be done !

*King.* What is that ?

*Bath and Wells and Peterborough.* God's will be done !

*King.* If I think fit to alter my mind, I will send to you. God hath given me this dispensing power, and I will maintain it. I tell you, there are seven thousand men, and of the church of England too, that have not bowed their knees to Baal.

This is the sum of what passed, as far as the bishops could recollect it ; and this being said, they were dismissed.—Archbishop Sancroft's MSS. ; Singer's Clarendon Corr. ii. 479, &c.

"On Friday, June 8th, at five in the afternoon, his majesty came into the privy council. About half an hour after, the archbishop and six bishops, who were attending in the next room, were called into the council chamber, and graciously received by his majesty. The lord chancellor took a paper then lying on the table, and, showing it to the archbishop, asked him in words to this effect :—'Is this the petition that was written and signed by your grace, and which these bishops presented to his majesty ?' The archbishop received the paper from the lord chancellor, and, addressing himself to his majesty, said to this purpose : 'Sir, I am called hither as a criminal, which I never was before in my life, and little thought I ever should be, especially before your majesty : but, since it is my unhappiness to be so at this time, I hope your majesty will not be offended, that I am cautious of answering questions. No man is obliged to answer questions that may tend to the accusing of himself.' His majesty called this chicanery, and hoped he would not deny his hand. The archbishop still insisted upon it, that there could be no other end of this question, but to draw such an answer from him as might afford ground for an accusation ; and therefore desired there might be no answer required of him. St. Asaph said, 'All divines of all christian churches agreed in this, that no man in our circumstances is obliged to answer any such questions.' The king still pressing for an answer with some seeming impatience, the archbishop said, 'Sir, though we are not obliged to give any answer to this question, yet, if your majesty lays your command upon us, we shall answer it, in trust upon your majesty's justice and generosity, that we shall not suffer for our obedience, as we must if our answer should be brought in evidence against us.' His majesty said, 'No, I will not command you ; if you will deny your own hand,

<sup>a</sup> On two other copies of the petition, one of which is in archbishop Sancroft's handwriting, are the following subscriptions :—Approbo, H. London, May 23 ; William, Norwich, May 23 ; Robert, Gloucester, May 21 ; Seth, Sarum, May 26 ; P. Winchester : Tho. Exon, May 29.—Singer's Clarendon Corr. ii. 478.

sioners. They did not think fit to cite the archbishop and bishops before them : for they did not doubt they would plead to their jurisdiction, and refuse to acknowledge their authority ; which they hoped their chancellors, and the inferior clergy, would not venture on.

I know not what to say to you,' &c. The lord chancellor said, ' Withdraw.' After about half a quarter of an hour, they were called in again. Then the lord chancellor said, ' His majesty has commanded me to require you to answer this question : Whether these be your hands that are set to this petition ?' His majesty himself also said, ' I command you to answer this question.' Then the archbishop took the petition, and, having read it over, said, ' I own that I wrote this petition, and that this is my hand.' Then the lord chancellor asked each of the bishops ; and they all acknowledged their hands, and that they delivered this petition. Then they were commanded to withdraw. After a while, they were called in a third time. Then the lord chancellor told them, ' It is his majesty's pleasure to have you proceeded against for this petition ; but it shall be with all fairness at Westminster Hall. There will be an information against you, which you are to answer ; and in order to that, you are to enter into a recognisance.' The archbishop said, ' that without a recognisance they should be ready to appear, and to answer, whenever they were called.' One of the bishops said, the lord Lovelace had been called before the council, to answer to a complaint that was brought against him, and that he was allowed to answer it in Westminster Hall, without entering into any recognisance ; and that they hoped they might be allowed to answer in like manner. The lord chancellor said, ' the lord Lovelace had affronted his majesty, and behaved himself very rudely before them ; and, therefore, his majesty would have him proceeded against in the common way ; but, for the bishops there present, his majesty was pleased to treat them with all favour in respect of their character ; and therefore he would have them enter into a recognisance.' His majesty was pleased to say, ' I offer you this as a favour, and I would not have you refuse it.' St. Asaph said, ' Whatsoever favour your majesty vouchsafes to offer to any person, you are pleased to leave it to him whether he will accept it or no ; and you do not expect he should accept it to his own prejudice. We conceive that this entering into recognisance may be prejudicial to us ; and, therefore, we hope your majesty will not be offended at our declining it.' Then the lord chancellor said, ' There are but three ways to proceed in matters of this kind : it must be either by commitment, or by recognisance, or by subpoena out of the king's bench. His majesty was not willing to take the common way in proceeding against you, but he would give you leave to enter into recognisance ;' and his lordship again advised them to accept it. Some of the bishops said, they were informed that no man was obliged to enter into recognisance, unless there were special matter against him, and that there was an oath of it made against that person. This they said, not considering that now the petition was made special matter, and that their confessing it was as good as an oath. But at last they insisted on this, that there was no precedent for it, that any member of the house of peers should be bound in recognisance for misdemeanour. The lord chancellor said there were precedents for it ; but, being desired to name one, he named none. The bishops desired to be proceeded against the common way ; but that was not allowed, and they were a third time commanded to withdraw.

" A while after, they were called in the fourth time, and asked, whether they had considered of it better ? and whether they would accept of his majesty's favour ? The archbishop said, he had the advice of the best counsel in town, and they warned him of this, assuring him it would

be to his prejudice ; and therefore he desired that it might not be required, offering his promise again to appear and to answer, whenever he should be called. But his majesty seemed to be displeased, and said, ' You will believe others before you will believe me.' So they were the fourth time commanded to withdraw.

" A good while after this, the earl of Berkely came forth to the bishops, and endeavoured first to persuade the archbishop to enter into recognisance, which he thought had been agreed between them over-night ; for on Thursday night, almost at bed-time, his lordship came to the archbishop at Lambeth, and, after half an hour's discourse, at last came to speak of his appearing at council the next day, and then advised his grace to offer a recognisance. His grace said, ' I am advised to that way.' His lordship said, ' That is well ;' and soon after took his leave. Now he seemed to look upon it as something strange, that his grace should refuse to enter into recognisance ; but finding him fixed, he endeavoured to persuade the other bishops. He told them he would do it, if he were in their case ; but finding them all of a mind, he went outward from the council, but soon after returned that way into the council chamber again ; from whence, about half an hour after, came forth Mr. Riley, a sergeant-at-arms, with the warrant, signed with fifteen hands, to carry the seven bishops to the Tower ; and another warrant, with nineteen hands and seals, for the lieutenant of the Tower to keep them in safe custody." —Singer's Clarendon Corr. ii. 481.

*Dialogue between the King and Bishops, after the third or fourth coming in.*

**A.** Sir, we appear before you this day, by virtue of your summons, as criminals ; the first time that ever I stood as a criminal before any man, and I am sorry that it happens to be before my sovereign-lord. We are advised, Sir, that they, who are in this condition of criminals, are not obliged to answer to any questions which may be to their prejudice ; notwithstanding, if your majesty requires it of us, we will tell you the true matter of fact, trusting in your majesty's justice and generosity, that no advantage shall be taken against us from our confession.

**Q.** Is this your petition ?

**R.** Pray, Sir, give us leave to see it ; and if, upon perusal, it appears to be the same—yes, Sir, this is our petition, and these are our subscriptions.

**Q.** Who were present at the forming of it ?

**R.** All who have subscribed it.

**Q.** Were no other persons present ?

**R.** It is our great infelicity that we are here as criminals ; and your majesty is so just and generous that you will not require us to accuse either ourselves or others.

**Q.** Upon what occasion came you to London ?

**R.** I received an intimation from the archbishop, that my advice and assistance was required in the affairs of the church.

**Q.** What were the affairs which you consulted of ?

**R.** The matter of the petition.

**Q.** What is the temper you are ready to come to with the dissenters ?

**R.** We refer ourselves to the petition.

**Q.** What mean you by the dispensing power being declared illegal in parliament ?

**R.** The words are so plain that we cannot use any plainer.

**Q.** What want of prudence or honour is there in obeying the king ?

Citations were sent out requiring the chancellors and archdeacons to send in the lists of all the clergy, both of such as had obeyed, and of those who had not obeyed the order of council. Some of these were now so much animated, with the sense that the nation had expressed of the bishops' imprisonment and trial, that they declared they would not obey this order: and others excused themselves in softer terms. When the day came to which they were cited, the bishop of Rochester, though he himself had obeyed the order, and had hitherto gone along, sitting with the other commissioners, but had always voted on the milder side, yet now, when he saw matters were running so fast to the ruin of the church, he not only would sit no longer with them, but wrote a letter to them; in which he said, it was impossible for him to go on with them any longer, for though he himself had obeyed the order of council, which he protested he did because he thought he was bound in conscience to do it, yet he did not doubt but that those who had not obeyed it had gone upon the same principle of following their conscience, and he would much rather choose to suffer with them, than to concur in making them suffer. This stopped proceedings for that day, and put the court to a stand. So they adjourned themselves till December, and they never sat any more.

This was the progress of that transaction, which was considered all Europe over as the

**R.** What is against conscience is against prudence and honour too, especially in persons of our character.

**Q.** Why is it against conscience?

**R.** Because our consciences oblige us (as far as we are able) to preserve our laws and religion according to the Reformation.

**Q.** Is the dispensing power then against law?

**R.** We refer ourselves to the petition.

**Q.** How could the distributing and reading the declaration make you parties to it?

**R.** We refer ourselves to our petition, whether the common and reasonable construction of mankind would not make it so.

**Q.** Did you disperse a printed letter in the country, or otherwise dissuade any of the clergy from reading it?

**R.** If this be one of the articles of misdemeanour against us, we desire to answer it with the rest.

**General.** We acknowledge the petition: we are summoned to appear here to answer such matters of misdemeanour as shall be objected; we therefore humbly desire a copy of our charge, and that time convenient may be allowed us to advise about it, and answer it. We are here in obedience to his majesty's command, to receive our charge, but humbly desire we may be excused from answering questions, from whence occasion may be taken against us.—*Singer's Clarendon Corr.* ii. 483.

Henry, earl of Clarendon, in his Diary, May 18, 1688, says, "In the evening, the bishops, six in number, presented a petition to the king, praying that his majesty would recall his proclamation for reading the Proclamation of Indulgence in the churches. It was written with the archbishop's own hand, and signed by himself and the other six. The king took them into the room within the bed-chamber; when he had read the petition, he was angry, and said, he did not expect such a petition from them. This the bishop of St. Asaph told me when he came home."

So angry was James, that the next day he appears to have sent for all the judges to Whitehall, to consult them upon this episcopal offence.—(*Singer's Clarendon Corr.* ii. 172.) On the 28th, Lord Sunderland sent a summons to them to appear before the king in council, on the 8th of June, to answer to such matters of misdemeanour as should be then objected against them.—(*Ibid.* 173.) The king was informed that lord Clarendon had been present when the bishops' petition was drawn up at Lambeth; and this is not at all improbable, since he mentions in his diary that he had frequent conferences subsequently with them, at his own house. On the 8th of June they

appeared before the council, and were called upon to enter into recognizances to appear in the court of King's Bench on the first day of the following term; and, upon refusing, they were committed to the Tower: and the attorney-general was ordered to prefer an information against them. On the following day, lord Clarendon relates that "multitudes of people went to the Tower to the bishops." The lord chancellor (Jeffreys) told lord Clarendon that he regretted very much that the king had been induced to proceed with the prosecution of the bishops, which at one time he had declined; "some men (he added) would hurry the king to his destruction."

On the 15th of June the attorney-general moved to have the bishops brought to the bar of the court of King's Bench. "Both the hall and palace yard were extremely crowded: all the way, as the bishops came from the bridge, where they landed, to the very court, the people made a lane for them, and begged their blessings. When they were in court, the information against them was read. The bishops' counsel offered several pleas, but they were all overruled; judge Powell dissenting from his brethren on every point. At last they pleaded the general issue; and so their trials were appointed to be this day fortnight. The court took their own recognizances to appear then, the archbishop in 200*l.*, the rest in 100*l.* each; and so they went home; the people in like manner crowding for their blessing. As I was taking coach in the little Palace-yard, I found the bishop of St. Asaph in the midst of a crowd, the people thinking it a blessing to kiss any of these bishops' hands, or garments."—*Ibid.* 177.

On the 21st the chancellor had introduced to the king, Sir Samuel Astry; and, as he was to strike the jury, it was immediately reported it was for foul play against the bishops.—(*Ib. 178.*) According to the same authority, sir Robert Clarke had been very busy at sir Samuel Astry's about the jury. This was not portentous of good, and the chance of justice being administered, was still farther diminished, if, as the lord chancellor told lord Clarendon, the judges were "most of them rogues."—*Ib. 179.*) On the 29th they were brought to trial; the proceedings lasted from nine in the morning until after six in the evening. "When the jury withdrew, the court adjourned until ten the next morning; and at that time, the jury, (sir Roger Langley, foreman) brought in their verdict "not guilty;" upon which there was most wonderful shout, that one would have thought the hall had cracked, insomuch that the court took notice of it. In the evening multitudes of bonfires were made to celebrate the acquittal."

trial, whether the king or the church were like to prevail. The decision was as favourable as was possible. The king did assume to himself a power to make laws void, and to qualify men for employments, whom the law had put under such incapacities, that all they did was null and void. The sheriffs and mayors of towns were no legal officers; judges (one of them being a professed papist, Alibon,) who took not the test, were no judges: so that the government, and the legal administration of it, was broken. A parliament returned by such men was no legal parliament. All this was done by virtue of the dispensing power, which changed the whole frame of our government, and subjected all the laws to the king's pleasure; for, upon the same pretence of that power, other declarations might have come out, voiding any other laws that the court found stood in their way; since we had scarce any law that was fortified with such clauses, to force the execution of it, as those that were laid aside had in them. And when the king pretended that this was such a sacred point of government, that a petition, offered in the modestest terms, and in the humblest manner possible, calling it in question, was made so great a crime, and carried so far against men of such eminence; this, I confess, satisfied me, that here was a total destruction of our constitution, avowedly begun, and violently prosecuted. Here was not jealousies, nor fears; the thing was open and avowed. This was not a single act of illegal violence, but a declared design against the whole of our constitution. It was not only the judgment of a court of law: the king had now by two public acts of state, renewed in two successive years, openly published his design. This appeared such a total subversion, that, according to the principles, that some of the highest assertors of submission and obedience, Barkley and Grotius, had laid down, it was now lawful for the nation to look to itself, and see to its own preservation. And, as soon as any man was convinced that this was lawful, there remained nothing but to look to the prince of Orange, who was the only person that either could save them, or had a right to it: since by all the laws in the world, even private as well as public, he that has in him the reversion of any estate, has a right to hinder the possessor, if he goes about to destroy that, which is to come to him after the possessor's death.

Upon all this disorder that England was falling into, admiral Russel came to the Hague. He had a good pretence for coming over to Holland, for he had a sister then living in it. He was desired by many of great power and interest in England to speak very freely to the prince, and to know positively of him what might be expected from him. All people were now in a gaze: those who had little or no religion had no mind to turn papists, if they could see any probable way of resisting the fury with which the court was now driving; but men of fortune, if they saw no visible prospect, would be governed by their present interest: they were at present united; but, if a breaking should once happen, and some men of figure should be prevailed on to change, that might go far; especially in a corrupt and dissolute army, that was as it were let loose to commit crimes and violences every where, in which they were rather encouraged than punished; for it seemed to be set up as a maxim, that the army by rendering itself odious to the nation would become thereby entirely devoted to the court: but after all, though soldiers were bad Englishmen and worse Christians, yet the court found them too good protestants to trust much to them. So Russel put the prince to explain himself what he intended to do.

The prince answered, that, if he was invited by some men of the best interest, and the most valued in the nation, who should, both in their own name and in the name of others who trusted them, invite him to come and rescue the nation and the religion, he believed he could be ready by the end of September to come over. The main confidence we had was in the electoral prince of Brandenburg; for the old elector was then dying. And I told Russel at parting, that, unless he died, there would be great difficulties, not easily mastered, in the design of the prince's expedition to England.

He was then ill of a dropsy, which, coming after a gout of a long continuance, seemed to threaten a speedy end of his life. I had the honour to see him at Cleves; and was admitted to two long audiences, in which he was pleased to speak to me with great freedom. He was a prince of great courage. He both understood military matters well, and loved them much. He had a very perfect view of the state Europe had been in for fifty years, in which he had borne a great share in all affairs, having directed his own counsels himself. He had a won-

derful memory, even in the smallest matters ; for every thing passed under his eye. He had a quick apprehension, and a choleric temper. The heat of his spirits was apt to kindle too quick, till his interest cooled him ; and that fetched him back, which brought him under the censure of changing sides too soon, and too often. He was a very zealous man in all the concerns of religion. His own life was regular, and free of all blemishes. He tried all that was possible to bring the Lutherans, and Calvinists, to some terms of reconciliation. He complained much of the rigidity of the Lutherans, more particularly of those in Prussia : nor was he well pleased with the stiffness of the Calvinists : and he inveighed against the synod of Dort, as that which had set all on fire, and made matters almost past reconciling. He thought, all positive decisions in those matters ought to be laid aside by both parties, without which nothing could bring them to a better temper.

He had a very splendid court ; and to maintain that, and his great armies, his subjects were pressed hard by many uneasy taxes. He seemed not to have a just sense of the miseries of his people. His ministers had great power over him in all lesser matters, while he directed the greater ; and he suffered them to enrich themselves excessively.

In the end of his life the electoress had gained great credit, and governed his counsels too much. He had set it up for a maxim, that the electoral families in Germany had weakened themselves so much, that they would not be able to maintain the liberty of the empire against the Austrian family, which was now rising by their victories in Hungary : the houses of Saxe, and the Palatine, and of Brunswick, and Hesse, had done this so much, by the dismembering some of their dominions to their younger children, that they were mouldering to nothing ; he therefore resolved to keep all his dominions entire in one hand : this would make his family the balance to the house of Austria, on whom the rest of the empire must depend : and he suffered his electoress to provide for her children, and to enrich herself by all the ways she could think on, since he would not give them any share of his dominions. This she did not fail to do. And the elector, having just cause of complaint for being abandoned by the allies in the peace of Nimeguen, and so forced to restore what he had got from the Swedes, the French upon that gave him a great pension, and made the electoress such presents, that he was prevailed on to enter into their interests ; and in this he made some ill steps in the decline of his life. But nothing could soften him with relation to that court, after they broke the edict of Nantes, and began the persecution of the protestants. He took great care of all the refugees. He set men on the frontier of France to receive and defray them ; and gave them all the marks of Christian compassion, and of a bounty becoming so great a prince. But his age and infirmities, he being crippled with the gout, and the ill understanding that was between the prince electoral and electoress, had so disjointed his court, that little was to be expected from him.

Death came upon him quicker than was looked for. He received the intimations of it with the firmness that became both a Christian and a hero. He gave his last advices to his son, and to his ministers, with a greatness and a tenderness that both surprised and melted them all : and above all other things he recommended to them the concerns of the protestant religion, then in such an universal danger. His son had not his genius. He had not a strength of body, nor a force of mind, capable of great matters. But he was filled with zeal for the reformed religion ; and he was at that time so entirely possessed with a confidence in the prince of Orange, and with a high esteem of him, as he was his cousin-german, that we had a much better prospect of all our affairs, by his succeeding his father. And this was increased by the great credit that Dankelman, who had been his governor, continued to have with him ; for he had true notions of the affairs of Europe, and was a zealous protestant, and was likely to prove a very good minister, though he was too absolute in his favour, and was too much set on raising his own family. All at the Hague were looking with great concern on the affairs of Europe ; these being, in many respects, and in many different places, brought to a very critical state.

I must now look back to England, where the queen's delivery was the subject of all men's discourse. And since so much depends on this, I will give as full and as distinct an account of all that related to that matter, as I could gather up either at that time or afterwards. The queen had been for six or seven years in such an ill state of health, that every winter

brought her very near death. Those about her seemed well assured that she, who had buried all her children, soon after they were born, and had now for several years ceased bearing, would have no more children. Her own priests apprehended it, and seemed to wish for her death. She had great, and frequent distempers, that returned often, which put all people out of their hopes, or fears, of her having any children. Her spirits were now much on the fret. She was eager in the prosecution of all the king's designs. It was believed that she had a main hand in driving him to them all. And he, perhaps to make her gentler to him in his vagrant amours, was more easy to her in every thing else. The lady Dorchester was come back from Ireland; and the king went often to her. But it was visible, she was not likely to gain that credit in affairs to which she had aspired; and therefore this was less considered.

She had another mortification, when Fitz-James, the king's son, was made duke of Berwick \*. He was a soft and harmless young man, and was much beloved by the king: but the queen's dislike kept him from making any great figure. He made two campaigns in Hungary, that were little to his honour; for, as his governor diverted the allowance that was given for keeping a table, and sent him always to eat at other tables, so, though in the siege of Buda there were many occasions given him to have distinguished himself, yet he had appeared in none of them. There was more care taken of his person than became his age and condition: yet his governor's brother was a jesuit, and in the secret; so every thing was ventured on by him, and all was forgiven him.

In September, the former year, the queen went to the Bath, where, as was already told, the king came and saw her, and stayed a few days with her. She after that pursued a full course of bathing: and, having resolved to return in the end of September, an accident took her to which the sex is subject; and that made her stay there a week longer. She came to Windsor on the sixth of October. It was said, that, at the very time of her coming to the king, her mother, the duchess of Modena, made a vow to the lady Loretto, that her daughter might by her means have a son. And it went current, that the queen believed herself to be with child in that very instant, in which her mother made her vow; of which, some travellers have assured me, there was a solemn record made at Loretto †. A conception said to be thus begun looked suspicious. It was now fixed to the sixth of October; so the nine months were to run to the sixth of July. She was in the progress of her big belly let blood several times; and the most astringent things that could be proposed were used.

It was soon observed that all things about her person were managed with a mysterious secrecy, into which none were admitted but a few papists. She was not dressed, nor undressed, with the usual ceremony. Prince George told me, that the princess went as far in desiring to be satisfied by feeling the motion, after she said she was quick, as she could go without breaking with her; and she had sometimes stayed by her even indecently long in mornings, to see her rise, and to give her her shift; but she never did either. She never offered any satisfaction in that matter by letter to the princess of Orange, nor to any of the ladies of quality, in whose word the world would have acquiesced. The thing upon this began to be suspected; and some libels were written, treating the whole as an imposture. The use the queen made of this was, to say, that since she saw some were suspecting her as capable of so black a contrivance, she scorned to satisfy those who could entertain such thoughts of her. How just soever this might be with relation to the libellers, yet certainly, if she was truly with child, she owed it to the king and herself, to the king's daughters, but most of all to the infant she carried in her belly, to give such reasonable satisfaction, as might put an end to jealousy. This was in her power to do every day; and her not doing it gave just grounds of suspicion.

Things went thus on till Monday in Easter week. On that day the king went to Rochester, to see some of the naval preparations; but was soon sent for by the queen, who apprehended she was in danger of miscarrying. Dr. Scarborough was come to Knightsbridge to see bishop Ward, my predecessor, who had been his ancient friend, and was then his patient: but the queen's coach was sent to call him in all haste, since she was near miscarrying.

\* This was the king's illegitimate son by Arabella, sister to the lord Churchill.

† See an account of this affair in Misson's *Voyage d'Italie*, i. 314.

Dr. Windebank, who knew nothing of this matter, stayed long that morning upon an appointment for Dr. Wallgrave, another of the queen's physicians, who the next time he saw him excused himself; for the queen, he said, was then under the most apparent signs of miscarriage. Of this the doctor made oath; and it is yet extant.

On the same day the countess of Clarendon, being to go out of town for a few days, came to see the queen before she went, knowing nothing of what had happened to her: and she, being a lady of the bedchamber to queen dowager, did, according to the rule of the court, go into the queen's bedchamber without asking admittance. She saw the queen abed, bemoaning herself in a most doleful manner, saying often, "Undone, undone:" and one that belonged to her carried somewhat out of the bed, which she believed was linen taken from the queen. She was upon this in some confusion; and the countess of Powis coming in, went to her, and said with some sharpness, what do you here? And carried her to the door. Before she had got out of the court, one of the bedchamber women followed her, and charged her not to speak of any thing she had seen that day. This matter, whatever was in it, was hushed up; and the queen held on her course.

The princess had miscarried in the spring; so as soon as she had recovered her strength, the king pressed her to go to the Bath, since that had so good an effect on the queen. Some of her physicians, and all her other friends, were against her going. Lowen, one of her physicians, told me, he was against it: he thought she was not strong enough for the Bath, though the king pressed it with an unusual vehemence. Millington, another physician, told the earl of Shrewsbury, from whom I had it, that he was pressed to go to the princess, and advise her to go to the Bath. The person that spoke to him told him, the king was much set on it, and that he expected it of him, that he would persuade her to it. Millington answered, he would not advise a patient according to direction, but according to his own reason; so he would not go. Scarborough and Witherly took it upon them to advise it; so she went thither in the end of May.

As soon as she was gone, those about the queen did all of the sudden change her reckoning, and began it from the king's being with her at Bath. This came on so quick, that, though the queen had set the fourteenth of June for her going to Windsor, where she intended to lie in, and all the preparations for the birth and for the child were ordered to be made ready by the end of June, yet now a resolution was taken for the queen's lying in at St. James's; and directions were given to have all things quickly ready. The Bath water either did not agree with the princess, or the advices of her friends were so pressing, who thought her absence from the court at that time of such consequence, that in compliance with them she gave it out, it did not, and that therefore she would return in a few days.

The day after the court had this notice, the queen said, she would go to St. James's, and look for the good hour. She was often told, that it was impossible upon so short a warning to have things ready. But she was so positive, that she said, she would lie there that night, though she should lie upon the boards. And at night, though the shorter and quicker way was to go from Whitehall to St. James's through the Park, and she always went that way; yet now, by a sort of affectation, she would be carried thither by Charing Cross through the Pall Mall. And it was given out by all her train, that she was going to be delivered. Some said it would be next morning; and the priests said very confidently, that it would be a boy.

The next morning, about nine o'clock, she sent word to the king, that she was in labour. The queen dowager was next sent to; but no ladies were sent for: so that no women were in the room, but two dressers and one undresser, and the midwife. The earl of Arran sent notice to the countess of Sunderland; so she came. The lady Bellasis came also in time. The protestant ladies that belonged to the court, were all gone to church before the news was let go abroad; for it happened on Trinity Sunday, it being that year on the tenth of June. The king brought over with him from Whitehall a great many peers and privy councillors; and of these eighteen were let into the bedchamber; but they stood at the furthest end of the room. The ladies stood within the alcove. The curtains of the bed were drawn close, and none came within them but the midwife and an under dresser. The queen lay all the while abed; and, in order to the warming one side of it, a warming-pan was brought: but it was

not opened, that it might be seen that there was fire and nothing else in it ; so here was matter for suspicion, with which all people were filled.

A little before ten, the queen cried out as in a strong pain, and immediately after the midwife said aloud, she was happily brought to bed. When the lords all cried out of what, the midwife answered, the queen must not be surprised ; only she gave a sign to the countess of Sunderland, who upon that touched her forehead, by which, it being the sign before agreed on, the king said he knew it was a boy. No cries were heard from the child ; nor was it shewn to those in the room. It was pretended more air was necessary. The under dresser went out with the child, or something else, in her arms to a dressing room, to which there was a door near the queen's bed ; but there was another entry to it from other apartments.

The king continued with the lords in the bedchamber for some minutes, which was either a sign of much phlegm upon such an occasion ; for it was not known whether the child was alive or dead ; or it looked like the giving time for some management. After a little while they went all into the dressing-room ; and then the news was published. In the mean while, nobody was called to lay their hands on the queen's belly, in order to a full satisfaction. When the princess came to town three days after, she had as little satisfaction given her. Chamberlain, the man-midwife, who was always ordered to attend her labour before, and who brought the plaisters for putting back the milk, wondered that he had not been sent to. He went according to custom with the plaisters ; but he was told they had no occasion for him. He fancied, that some other person was put in his place ; but he could not find that any had it. All that concerned the milk, or the queen's purgations, was managed still in the dark. This made all people inclined more and more to believe, there was a base imposture now put on the nation. That still increased. That night one Hemings, a very worthy man, an apothecary by his trade, who lived in St. Martin's Lane, the very next door to a family of an eminent papist ; (Brown, brother to the viscount Montacute, lived there :) the wall between his parlour and theirs being so thin, that he could easily hear any thing that was said with a louder voice, he (Hemings) was reading in his parlour late at night, when he heard one coming into the neighbouring parlour, and say with a doleful voice, "The prince of Wales is dead :" upon which a great many that lived in the house came down stairs very quick : upon this confusion he could not hear any thing more ; but it was plain, they were in a great consternation. He went with the news next morning to the bishops in the Tower. The countess of Clarendon came thither soon after, and told them, she had been at the young prince's door, but was denied access : she was amazed at it ; and asked, if they knew her. They said they did, but that the queen had ordered, that no person whatsoever should be suffered to come in to him. This gave credit to Hemings' story, and looked as if all was ordered to be kept shut up close, till another child was found. One, that saw the child two days after, said to me, that he looked strong, and not like a child so newly born. Wintebank met Walgrave the day after this birth, and remembered him of what he had told him eight weeks before. He acknowledged what he had said, but added, that God wrought miracles ; to which no reply could, or durst be made by the other : it needed none. So healthy a child being so little like any of those the queen had borne, it was given out that he had fits, and could not live. But those who saw him every day observed no such thing. On the contrary, the child was in a very prosperous state. None of those fits ever happened when the princess was at court ; for she could not be denied admittance, though all others were. So this was believed to be given out to make the matter more credible. It is true, some weeks after that, the court being gone to Windsor, and the child sent to Richmond, he fell into such fits, that four physicians were sent for. They all looked on him as a dying child. The king and queen were sent for. The physicians went to a dinner prepared for them ; and were often wondering that they were not called for. They took it for granted, that the child was dead ; but when they went in after dinner to look on him, they saw a sound healthy child, that seemed to have had no sort of illness on him. It was said, that the child was strangely revived of a sudden. Some of the physicians told Lloyd, bishop of St. Asaph, that it was not possible for them to think it was the same child. They looked on one another, but durst not speak what they thought.

Thus I have related such particulars as I could gather of this birth ; to which some more

shall be added, when I give an account of the proof that the king brought afterwards to put this matter out of doubt ; but by which it became indeed more doubtful than ever. I took most of these from the informations that were sent over to the prince and princess of Orange, as I had many from the vouchers themselves. I do not mix with these the various reports that were, both then and afterwards, spread of this matter, of which bishop Lloyd has a great collection, most of them well attested. What truth soever may be in these, this is certain, that the method in which this matter was conducted, from first to last, was very unaccountable. If an imposture had been intended, it could not have been otherwise managed. The pretended excuse that the queen made, that she owed no satisfaction to those who could suspect her capable of such base forgery, was the only excuse that she could have made, if it had been really what it was commonly said to be. She seemed to be soon recovered, and was so little altered by her labour, either in her looks or voice, that this helped not a little to increase jealousies. The rejoicings over England upon this birth were very cold and forced. Bonfires were made in some places, and a set of congratulatory addresses went round the nation. None durst oppose them ; but all was formal, and only to make a shew\*.

The prince and princess of Orange received the news of this birth very decently. The first letters gave not those grounds of suspicion that were sent to them afterwards ; so they sent over Zuylestein to congratulate : and the princess ordered the prince of Wales to be prayed for in her chapel. Upon this occasion, it may not be improper to set down what the princess said to myself on this subject two years before. I had asked her, in the freedom of much discourse, if she knew the temper of her own mind, and how she could bear the queen's having a son. She said, she was sure it would give her no concern at all on her own account ; God knew best what was fit for her ; and, if it was not to serve the great ends of Providence, she was sure that, as to herself, she would rather wish to live and die in the condition she was then in. The advertisements formerly mentioned came over from so many hands, that it was impossible not to be shaken by them. It was also taken ill in England, that the princess should have begun so early to pray for the pretended prince ; upon which the naming him discontinued. But this was so highly resented by the court of England, that the prince, fearing it might precipitate a rupture, ordered him to be again named in the prayers.

The prince set himself with great application to prepare for the intended expedition ; for Zuylestein brought him such positive advices, and such an assurance of the invitation he had desired, that he was fully fixed in his purpose. It was advised from England, that the prince could never hope for a more favourable conjuncture, nor for better grounds to break on, than he had at that time. The whole nation was in a high fermentation. The proceedings against the bishops, and those that were still kept on foot against the clergy, made all people think the ruin of the church was resolved on, and that on the first occasion it would be executed, and that the religion would be altered. The pretended birth made them reckon

\* However interest and party prejudice at the time may have influenced Burnet and others to suspect the truth of the birth of prince James Francis Edward, better known by the political epithet of "the Pretender," few persons who will take the trouble to compare the conflicting statements that were published then, and subsequently, will think there is any circumstantial evidence adduced that at all shakes the direct testimony that he was the offspring of the queen. Lord Clarendon says that it was "every where ridiculed, as if scarce any one believed" the queen was pregnant ; yet that popular prejudice that she was incapable of child-bearing is refuted by the fact that she subsequently gave birth to a princess in 1692, during her exile in France. Princess Anne evidently doubted the assertion that the pretender was really the offspring of the queen. The latter, during her pregnancy, carefully avoided letting the princess or any but her immediate attendants have an opportunity to see her person, which, considering the reports about her non-pregnancy, was very injudicious.

When the lords of the council waited upon the princess with the depositions made before them by the king, and the queen-dowager, she avoided expressing any concurrence, but merely observed, " My lords, this was not necessary ; for I have so much duty for the king, that his word must be more to me than these depositions."—Singer's Clarendon Corr. ii. 198, 199.

Circumstantial evidence is certainly strong to justify the suspicions that were entertained ; but all such evidence will bear two interpretations, and that which is in accordance with direct testimony must prevail. The queen's repugnance to be inspected is readily accounted for without having recourse to the explanation that she was carrying on a deception. Full particulars relative to this much-disputed point can be obtained from the numerous pamphlets of the time, the names of which can be found by a reference to Watt's Bibliotheca Britannica. See especially, "The several Declarations, &c. concerning the Birth of the Prince of Wales ;" "A full answer to the Depositions, &c." Life of J. Kettlewell ; Dalrymple's Memoirs.

that popery and slavery would be entailed on the nation. And, if this heat went off, people would lose heart. It was also visible, that the army continued well affected. They spoke openly against popery ; they drank the most reproachful healths against them that could be invented, and treated the few papists that were among them with scorn and aversion. The king saw this so visibly, that he broke up the camp, and sent them to their quarters ; and it was believed, that he would bring them no more together till they were modelled more to his mind. The seamen shewed the same inclinations. The Dutch had set out a fleet of twenty-four men of war, on pretence to secure their trade : so the king resolved to set out as strong a fleet. Strickland, who was a papist, had the command. He brought some priests aboard with him, who said mass, or at least performed such offices of their religion as are allowed in ships of war : and the chaplain, that was to serve the protestants in Strickland's ship, was sent away upon a slight pretence. This put the whole fleet into such a disorder, that it was likely to end in a mutiny. Strickland punished some for this ; and the king came down to accommodate the matter. He spoke very softly to the seamen ; yet this made no great impression ; for they hated popery in general, and Strickland in particular. When some gained persons among the seamen tried their affections to the Dutch, it appeared they had no inclinations to make war on them. They said aloud, they were their friends and their brethren ; but they would very willingly go against the French. The king saw all this, and was resolved to take other more moderate measures.

These advices were suggested by the earl of Sunderland, who saw the king was running violently to his own ruin. So, as soon as the queen admitted men to audiences, he had some very long ones of her. He represented to her, that the state of her affairs was quite changed by her having a son. There was no need of driving things fast, now they had a succession sure : time would bring all about, if matters were but softly managed. He told her, it would become her to set up for the author of gentle counsels, that she might by another administration lay the flame that was now kindled. By this she would gain the hearts of the nation, both to herself and to her son : she might be declared regent, in case the king should die before her son came to be of age. He found these advices began to be hearkened to ; but, that he might have the more credit in pressing them, he, who had but too slight notions of religion, resolved to declare himself a papist. And then, he, being in the same interest with her, and most violently hated for this ill step he had made, gained such an ascendant over her spirit, that things were likely to be put in another management.

He made the step to popery all on the sudden, without any previous instruction or conference ; so that the change he made looked too like a man who, having no religion, took up one, rather to serve a turn, than that he was truly changed from one religion to another. He has since been accused, as if he had done all this to gain the more credit, that so he might the more effectually ruin the king. There was a suspicion of another nature, that stuck with some in England, who thought that Mr. Sidney, who had the secret of all the correspondence that was between the prince, and his party in England, being in particular friendship with the earl of Sunderland, the earl had got into that secret ; and they fancied he would get into the prince's confidence by Sidney's means. So I was written to, and desired to put it home to the prince, whether he was in any confidence or correspondence with the earl of Sunderland, or not ? For, till they were satisfied in that matter, they would not go on ; since they believed he would betray all, when things were ripe for it, and that many were engaged in the design. The prince upon that did say very positively, that he was in no sort of correspondence with him. His counsels lay then another way ; and, if time had been given him to follow the scheme then laid down by him, things might have turned fatally ; and the nation might have been so laid asleep with new promises, and a different conduct, that in a slow method they might have gained that, which they were so near losing, by the violent proceedings in which they had gone so far. The judges had orders in their circuits to proceed very gently, and to give new promises in the king's name. But they were treated every where with such contempt, that the common decencies were scarce paid them, when they were on the bench. And they now saw that the presentments of grand juries, and the verdicts of other juries, were no more under their direction. Things

slept in England, as is usual, during the long vacation. But the court had little quiet, having every day fresh alarms from abroad, as well as great mortifications at home.

I must now change the scene, and give a large account of the affairs abroad, they having such a connection with all that followed in England. Upon the elector of Brandenburg's death, the prince sent Mr. Bentinck with the compliment to the new elector; and he was ordered to lay before him the state of affairs, and to communicate the prince's design to him, and to ask him, how much he might depend upon him for his assistance. The answer was full and frank. He offered all that was asked, and more. The prince resolved to carry over to England an army of nine thousand foot, and four thousand horse and dragoons. He intended to choose these out of the whole Dutch army. But for the security of the States, under such a diminution of their force, it was necessary to have a strength from some other princes. This was soon concerted between the prince and the new elector, with the landgrave of Hesse, and the duke of Lunenberg and Zell, who had a particular affection to the prince, and was a cordial friend to him on all occasions.

His brother, the duke of Hanover, was at that time in some engagements with the court of France. But, since he had married the princess Sophia of the Palatine House, I ventured to send a message to her by one of their court, who was then at the Hague. He was a French refugee, named Mr. Boucour. It was to acquaint her with our design with relation to England, and to let her know, that, if we succeeded, certainly a perpetual exclusion of all papists from the succession to the crown would be enacted; and, since she was the next protestant heir after the two princesses, and the prince of Orange, of whom at that time there was no issue alive, I was very confident, that, if the duke of Hanover could be disengaged from the interests of France, so that he came into our interests, the succession to the crown would be lodged in her person, and in her posterity; though on the other hand, if he continued, as he stood then, engaged with France, I could not answer for this. The gentleman carried the message, and delivered it. The duchess entertained it with much warmth, and brought him to the duke to repeat it to him. But at that time this made no great impression on him. He looked on it as a remote and a doubtful project; yet when he saw our success in England, he had other thoughts of it. Some days after this Frenchman was gone, I told the prince what I had done. He approved of it heartily; but was particularly glad, that I had done at, as of myself, without communicating it to him, or any way engaging him in it: for he said, if it should happen to be known that the proposition was made by him, it might do us hurt in England, as if he had already reckoned himself so far master, as to be forming projects concerning the succession to the crown.

But while this was in a secret management, the elector of Cologne's death came in very luckily to give a good colour to intrigues and preparations. The old elector was brother to Maximilian, duke of Bavaria. He had been long bishop, both of Cologne and Liege: he was also elected bishop of Munster: but the pope would never grant his bulls for that see; but he had the temporalities, and that was all he thought on. He had thus a revenue of near four millions of guilders, and four great bishoprics; for he was likewise bishop of Hildesheim. He could arm and pay twenty thousand men, besides that his dominions lay quite round the Netherlands. Munster lay between them and the northern parts of Germany; and from thence their best recruits came. Cologne commanded twenty leagues of the Rhine; by which, as an entrance was opened into Holland, which they had felt severely in the year 1672, so the Spanish Netherlands were entirely cut off from all assistance that might be sent them out of Germany: and Liege was a country full both of people and wealth, by which an entrance is open into Brabant; and if Maestricht was taken, the Maese was open down to Holland. So it was of great importance to the States to take care who should succeed him. The old man was a weak prince, much set on chemical processes, in hopes of the philosopher's stone. He had taken one of the princes of Furstenberg into his particular confidence, and was entirely governed by him. He made him one of the canons of Cologne; and he came to be dean at last. He made him not only his chief minister, but left the nomination of the canons that were preferred by him wholly to his choice. The bishop, and the dean and chapter, name those by turns. So, what by those the elector named on his motion, what by those he got to be chosen, he reckoned he was sure of succeeding the elector; and nothing

but ill management could have prevented it. He had no hopes of succeeding at Munster, but he had taken much pains to secure Liege.

I need not enlarge further on this story than to remember that he got the elector to deliver his country up to the French in the year 1672, and that the treaty opened at Cologne was broken up on his being seized by the emperor's order. After he was set at liberty, he was, upon the recommendation of the court of France, made a cardinal, though with much difficulty. In the former winter, the emperor had been prevailed on by the Palatine family, to consent to the election of a coadjutor in Cologne. But this was an artifice of the cardinal's, who deceived that family into the hopes of carrying the election for one of their branches. And they obtained the emperor's consent to it, without which it could not be done. But so ill grounded were the Palatine's hopes, that of twenty-five voices the cardinal had nineteen, and they had only six voices.

The contest at Rome about the franchises had now occasioned such a rupture there, that France and Rome seemed to be in a state of war. The count Lavardin was sent ambassador to Rome; but the pope refused to receive him, unless he would renounce the pretension to the franchises. So he entered Rome in a hostile manner, with some troops of horse, though not in form of troops; but the force was too great for the pope. He kept guards about his house, and in the franchises, and affronted the pope's authority on all occasions. The pope bore all silently, but would never admit him to an audience, nor receive any message nor intercession from the court of France; and kept off every thing, in which they concerned themselves; and therefore he would not confirm the election of a coadjutor to Cologne. So, that not being done when the elector died, the canons were to proceed to a new election; the former being void, because not confirmed: for if it had been confirmed, there would have been no vacancy.

The cabal against the cardinal grew so strong, that he began to apprehend he might lose it, if he had not leave from the pope to resign the bishopric of Strasburg, which the French had forced him to accept, only to lessen the pension that they paid him by giving him that bishopric. By the rules of the empire, a man that is already a bishop, cannot be chosen to another see, but by a postulation; and to that it is necessary to have a concurrence of two-thirds of the chapter. But it was at the pope's choice, whether he would accept of the resignation of Strasburg or not; and therefore he refused it. The king of France sent a gentleman to the pope with a letter written in his own hand, desiring him to accept of that resignation, and promising him upon it all reasonable satisfaction; but the pope would not admit the bearer, nor receive the letter. He said, while the French Ambassador lived at Rome like an enemy, that had invaded it, he would receive nothing from that court.

In the bishoprics of Munster and Hildesheim, the deans were promoted, of whom both the States and the princes of the empire were well assured. But a new management was set up at Cologne. The elector of Bavaria had been disgusted at some things in the emperor's court. He complained, that the honour of the success in Hungary was given so entirely to the duke of Lorrain, that he had not the share which belonged to him. The French instruments that were then about him took occasion to alienate him more from the emperor, by representing to him, that, in the management now at Cologne, the emperor shewed more regard to the Palatine family than to himself, after all the service he had done him. The emperor, apprehending the ill consequences of a breach with him, sent and offered him the supreme command of his armies in Hungary for that year, the duke of Lorrain being taken ill of a fever, just as they were upon opening the campaign. He likewise offered him all the voices that the Palatine had made at Cologne, in favour of his brother prince Clement. Upon this they were again reconciled: and the elector of Bavaria commanded the emperor's army in Hungary so successfully, that he took Belgrade by storm after a short siege. Prince Clement was then but seventeen, and was not of the chapter of Cologne; so he was not eligible according to their rules, till he obtained a bull from the pope dispensing with these things. That was easily got. With it the emperor sent one to manage the election in his name, with express instructions to offer the chapter the whole revenue and government of the temporalties for five years, in case they would choose prince Clement, who wanted all that time to be of age. If he could make nine voices sure for him, he was to

stick firm to his interest ; but if he could not gain so many, he was to consent to any person that should be set up in opposition to the cardinal. He was ordered to charge him severely before the chapter, as one that had been for many years an enemy and traitor to the empire. This was done with all possible aggravations, and in very injurious words.

The chapter saw that this election was likely to be attended with a war in their country, and other dismal consequences ; for the cardinal was chosen by the chapter vicar, or guardian of the temporalities : and he had put garrisons in all their fortified places, that were paid with French money : and they knew he would put them all in the king of France's hands, if he was not elected. They had promised not to vote in favour of the Bavarian prince ; so they offered to the emperor's agent to consent to any third person. But ten voices were made sure to prince Clement ; so he was fixed to his interests. At the election, the cardinal had fourteen voices, and prince Clement had ten. By this means the cardinal's postulation was defective, since he had not two-thirds. And upon that, prince Clement's election was first judged good by the emperor, as to the temporalities ; but was transmitted by him to Rome, where a congregation of cardinals examined it ; and it was judged in favour of prince Clement. The cardinal succeeded worse at Liege, where the dean was without any difficulty chosen bishop ; and nothing but the cardinal's purple saved him from the violences of the people at Liege. He met with all sorts of injurious usage, being hated there, both on the account of his depending so much on the protection of France, and for the effects they had felt of his violent and cruel ministry under the old elector. I will add one circumstance in honour of some of the canons of Liege. They not only would accept of no presents from those whom the States appointed to assist in managing that election before it was made ; but they refused them after the election was over. This I saw in the letter that the States deputy wrote to the Hague.

I have given a more particular account of this matter, because I was acquainted with all the steps that were made in it. And it had such an immediate relation to the peace and safety of Holland, that, if they had miscarried in it, the expedition designed for England would not have been so safe, nor could it have been proposed easily in the States. By this it appeared, what an influence the papacy, low as it is, may still have in matters of the greatest consequence. The foolish pride of the French court, which had affronted the pope in a point in which, since they allowed him to be the prince of Rome, he certainly could lay down such rules as he thought fit, did now defeat a design that they had been long driving at, and which could not have miscarried by any other means than those that they had found out. Such great events may and do often rise from inconsiderable beginnings. These things furnished the prince with a good blind for covering all his preparations ; since here a war in their neighbourhood was unavoidable, and it was necessary to strengthen both their alliances and their troops. For it was visible to all the world, that, if the French could have fixed themselves in the territory of Cologne, the way was open to enter Holland, or to seize on Flanders, when that king pleased ; and he would have the four electors on the Rhine at mercy. It was necessary to dislodge them, and this could not be done without a war with France. The prince got the States to settle a fund for nine thousand scamen, to be constantly in their service : and orders were given to put the naval preparations in such a case, that they might be ready to put to sea upon orders. Thus things went on in July and August, with so much secrecy and so little suspicion, that neither the court of England nor the court of France seemed to be alarmed at them.

In July, admiral Herbert came over to Holland, and was received with a particular regard to his pride and ill humour : for he was upon every occasion so sullen and peevish, that it was plain he set a high value on himself, and expected the same of all others. He had got his accounts passed, in which he complained that the king had used him not only hardly, but unjustly. He was a man delivered up to pride and luxury ; yet he had a good understanding ; and he had gained so great a reputation by his steady behaviour in England, that the prince understood that it was expected he should use him in the manner he himself should desire ; in which it was not very easy for him to constrain himself so far as that required. The managing him was in a great measure put on me ; and it was no easy thing. It made me often reflect on the providence of God, that makes some men instruments in

great things, to which they themselves have no sort of affection or disposition; for his private quarrel with the lord Dartmouth, who he thought had more of the king's confidence than he himself had, was believed the root of all the sullenness he fell into towards the king, and of all the firmness that grew out of that.

I now return to England, to give an account of a secret management there. The lord Mordaunt was the first of all the English nobility that came over openly, to see the prince of Orange. He asked the king's leave to do it. He was a man of much heat, many notions, and full of discourse; he was brave and generous, but had not true judgment: his thoughts were crude and indigested, and his secrets were soon known. He was with the prince in the year 1686; and then he pressed him to undertake the business of England: and he represented the matter as so easy, that this appeared too romantic to the prince to build upon it. He only promised in general, that he should have an eye on the affairs of England; and should endeavour to put the affairs of Holland in so good a posture as to be ready to act when it should be necessary: and he assured him, that, if the king should go about either to change the established religion, or to wrong the princess in her right, or to raise forged plots to destroy his friends, that he would try what he could possibly do. Next year a man of a far different temper came over to him\*.

The earl of Shrewsbury: he had been bred a papist, but had forsaken that religion, upon a very critical and anxious enquiry into matters of controversy. Some thought, that, though he had forsaken popery, he was too sceptical, and too little fixed in the points of religion. He seemed to be a man of great probity, and to have a high sense of honour. He had no ordinary measure of learning, a correct judgment, with a sweetness of temper that charmed all who knew him. He had at that time just notions of government, and so great a command of himself, that, during all the time that he continued in the ministry, I never heard any one complaint of him, but for his silent and reserved answers, with which his friends were not always well pleased. His modest deportment gave him such an interest in the prince, that he never seemed so fond of any of his ministers, as he was of him. He

\* Noble gives the following spirited sketch of this distinguished peer. Charles Mordaunt, third earl of Peterborough, and first of Monmouth, was one of the strangest compounds that nature, in her most sportive moments, ever produced. Of great ancestry, a peer by creation, as well as, afterwards, by descent; yet, in his youth, he seemed to disregard decency, and the greatest of all moral obligations. Justice, indeed, ought to have claimed him, as a shedder of human blood. Graceful and elegant in his manners and person, and a favourite with the Muses, he seemed emulous to mix only with the rough, and then untutored, brave tare of the ocean. Leaving the naval service, he charmed the senate with his oratory. Disgusted with James the Second's government, he obtained a command of part of the Dutch fleet; but William the Third brought him back to England, where he became a military officer, yet a counsellor to his majesty. Under Anne he was a conqueror; and Spain would have been transferred from the Bourbon to the Austrian family, if Charles had attended as much to fighting as to bull-feasting. Never was a braver or more skilful general. An adept in the illusions of perspective, he imposed upon the enemy as to the numbers under his command; even his gallantries aided his plans. He astonished the proud Spaniards; the patient Germans; even the sprightly French saw themselves excelled in courage, celerity, and stratagem. The parliament thanked him, but, imitating his fickleness, withdrew their favour. Even at home, his pen vindicated his sword; and at the change of the queen's ministry, he blazed forth a knight of the garter, and as negotiator in all the Italian courts. Restless and alert, on the continent, or in England, he was ever on the wing: "he saw more kings and postilions than any man in Europe." This quarter of the globe seemed too confined for his pastimes. He asked for a commission as captain-

general of our forces in North America; but Marlborough, his enemy and rival, thwarted him. Under the two first Georges he became a conspicuous Whig; was continued by them lord-lieutenant of Northamptonshire, and made general of our marine forces. In these reigns he employed his time more as a wit than as a politician; caprice dictated, and inclination followed. He was insufferably haughty, and loved popularity. A correspondent of Pope and Swift, and gifted in all that learning and genius could bestow; yet he delighted to declaim in coffee-houses, where the stupid stare of astonishment was all his reward. Living on the borders of parsimony, yet he was always in debt. They who blamed could not but admire him: even the cynic Swift, after remarking that at sixty he was more spirited than the young, adds, "I love the hang-dog dearly." An avowed atheist, he gained the admiration of revealed religion's friends. He was like no other human being, yet all human beings admired his sense, his wit, and his courage: this was so marked that he was said to be without fear; but he replied—"No, I am not; only I never saw occasion to fear." He died at Lisbon, aged seventy-seven, in the year 1735. His first wife was a daughter of sir Alexander Frazer; whilst a widower the earl became deeply enamoured with the accomplished Anastasia Robinson, the daughter of an artist. She was an opera singer, and a teacher of music and Italian, to support an aged parent; yet she rejected all the earl's advances towards an illicit connection. He married her privately, and concealed his union until 1735, and then proclaimed it like no other husband. He went one evening to the rooms at Bath, where a servant was ordered distinctly and audibly to announce "Lady Peterborough's carriage waits." Every lady of rank and fashion rose and congratulated the declared countess.—Continuation of Grainger.





CHARLES TALBOT, DUKE OF SHREWSBURY.

OB. 1718.

FROM THE ORIGINAL P. KNELLER, IN THE COLLECTION OF

THE RIGHT HON<sup>BLE</sup> THE EARL OF SHREWSBURY.





had only in general laid the state of affairs before the prince, without pressing him too much \*.

But Russel † coming over in May brought the matter nearer a point. He was a cousin german to lord Russel. He had been bred at sea, and was bedchamber-man to the king, when he was duke of York; but, upon the lord Russel's death, he retired from the court. He was a man of much honour, and great courage. He had good principles, and was firm to them. The prince spoke more positively to him than he had ever done before. He said, he must satisfy both his honour and conscience, before he could enter upon so great a design, which, if it miscarried, must bring ruin both on England and Holland: he protested, that no private ambition, nor resentment, of his own could ever prevail so far with him, as to make him break with so near a relation, or engage in a war, of which the consequences must be of the last importance, both to the interests of Europe, and of the protestant religion; therefore he expected formal and direct invitations. Russel laid before him the danger of trusting such a secret to great numbers. The prince said, if a considerable number of men, that might be supposed to understand the sense of the nation best, should do it, he would acquiesce in it.

Russel told me, that, upon his return to England, he communicated the matter, first to the earl of Shrewsbury, and then to the lord Lumley, who was a late convert from popery, and had stood out very firmly all this reign. He was a man who laid his interest much to heart: and he resolved to embark deeply in this design.

But the man in whose hands the conduct of the whole design was chiefly deposited by the prince's own order, was Mr. Sidney, brother to the earl of Leicester and to Algernon Sidney. He was a graceful man, and had lived long in the court, where he had some adventures that became very public. He was a man of a sweet and caressing temper, had no malice in his heart, but too great a love of pleasure. He had been sent envoy to Holland in the year 1679, where he entered into such particular confidences with the prince, that he had the highest measure of his trust and favour, that any Englishman ever had. This was well known over England; so that all who desired to recommend themselves to the prince did it through his hands. He was so apprehensive of the dangers this might cast him in, that he travelled almost a year round Italy. But now matters ripened faster; so all centred in him. But, because he was lazy, and the business required an active man, who could both run about, and write over long and full accounts of all matters, I recommended a kinsman of my own, Johnston, whom I had formed, and knew to be both faithful and diligent, and very fit for the employment he was now trusted with ‡.

Sidney tried the marquis of Halifax, if he would advise the prince's coming over; but, as this matter was opened to him at a great distance, he did not encourage a further freedom. He looked on the thing as impracticable; it depended on so many accidents, that he thought it was a rash and desperate project, that ventured all upon such a dangerous issue, as might turn on seas and winds. It was next opened to the earl of Danby: and he not only went in heartily to it himself, but drew in the bishop of London (Dr. Compton) to join in it. By their advice it was proposed to the earl of Nottingham, who had great credit with the whole church party; for he was a man possessed with their notions, and was grave and virtuous in the course of his life. He had some knowledge of the law, and of the records of parlia-

\* Charles Talbot, afterwards duke of Shrewsbury, embraced the protestant religion, with many other distinguished persons, at the time of the popish plot. With his religion he changed his politics, and this godson of Charles the Second then became the opponent of arbitrary power. He lent William the Third 40,000*l.*, who in return made him a privy councillor, a lord justice, principal secretary of state, adding a dukedom and the garter. The king used to describe him as "the only man of whom the Whigs and Tories both spoke well." At the time of queen Anne's death he was lord lieutenant of Ireland, lord high treasurer, and lord chamberlain; important employments that never were before united in the same possession. George the First continued to employ him in many high offices. He died, aged fifty-eight, in 1718.

His death is said to have been caused by his wife, Adelaida, daughter of the marquis de Palliotti, an Italian, who proved a domestic tyrant, and the plague of his life. Lord Dartmouth says, that if queen Mary had outlived the king (William) she would certainly have married the duke, and that she was always agitated extremely when he came into her presence. A very full memoir of this nobleman, and of the political changes in which he was engaged, will be found in archdeacon Coxe's "Shrewsbury Correspondence."

† This was Edward Russel, so distinguished afterwards as the victor at La Hogue, and better known as the earl of Orford. He will be mentioned in future pages.

‡ He was a son of lord Wariston, before mentioned. Afterwards he became secretary of state for Scotland.

ment, and was a copious speaker, but too florid and tedious. He was much admired by many. He had stood at a great distance from the court all this reign; for, though his name was still among the privy councillors, yet he never went to the board. He upon the first proposition entertained it, and agreed to it; but at their next meeting he said, he had considered better of that matter: his conscience was so restrained in those points, that he could not go further with them in it: he said, he had talked with some divines, and named Tillotson and Stillingfleet, in general of the thing; and they were not satisfied with it; (though they protested to me afterwards, that they remembered no such thing.) He confessed he should not have suffered them to go so far with him in such a secret, till he had examined it better: they had now, according to Italian notions, a right to murder him; but, though his principles restrained him, so that he could not go on with them, his affections would make him to wish well to them, and be so far a criminal as concealment could make him one. The earl of Devonshire was spoken to; and he went into it with great resolution. It was next proposed to three of the chief officers of the army, Trelawny, Kirk, and the lord Churchill. These went all into it: and Trelawny engaged his brother, the bishop of Bristol, into it.

But, having now named the lord Churchill \*, who is likely to be mentioned often by me in the sequel of this work, I will say a little more of him. He was a man of a noble and graceful appearance, bred up in the court with no literature; but he had a solid and clear understanding, with a constant presence of mind. He knew the arts of living in a court beyond any man in it. He caressed all people with a soft and obliging deportment, and was always ready to do good offices. He had no fortune to set up on: this put him on all the methods of acquiring one. And that went so far into him, that he did not shake it off when he was in a much higher elevation: nor was his expense suited enough to his posts; but, when allowances are made for that, it must be acknowledged, that he is one of the greatest men the age has produced. He was in high favour with the king; but his lady † was much more in princess Anne's favour. She had an ascendant over her in every thing. She was a woman of little knowledge, but of a clear apprehension, and a true judgment, a warm and hearty friend, violent and sudden in her resolutions, and impetuous in her way of speaking. She was thought proud and insolent on her favour, though she used none of the common arts of a court to maintain it; for she did not beset the princess, nor flatter her. She stayed much at home, and looked very carefully after the education of her children. Having thus opened both their characters, I will now give an account of this lord's engagements in this matter; for which he has been so severely censured, as guilty both of ingratitude and treachery, to a very kind, and liberal, master. He never discovered any of the king's secrets; nor did he ever push him on to any violent proceedings: so that he was in no contrivance to ruin, or betray, him. On the contrary, whensoever he spoke to the king of his affairs, which he did but seldom, because he could not fall in with the king's notions, he always suggested moderate counsels. The earl of Galway told me, that when he came over with the first compliment upon the king's coming to the crown, he said then to him, that, if the king was ever prevailed on to alter our religion, he would serve him no longer, but withdraw from him; so early was this resolution fixed in him. When he saw how the king was set, he could not be contented to see all ruined by him. He was also very doubtful as to the pretended birth. So he resolved, when the prince should come over, to go in to him; but to betray no post, nor do any thing more than the withdrawing himself, with such officers as he could trust with such a secret. He also undertook, that prince George and the princess Anne would leave the court, and come to the prince, as soon as was possible.

With these invitations, and letters, the earl of Shrewsbury, and Russel, came over in September; and soon after them came Sidney with Johnston. And they brought over a

\* This was afterwards the celebrated duke of Marlborough.

† Subsequently so celebrated as the court favourite, Sarah, duchess of Marlborough. This intriguing peeress was introduced to queen Anne by Mrs. Connwallis, a papist, and finding that if her introducer could be

removed, she should herself become prime favourite, she obtained her removal by the aid of bishop Compton, who suggested at the council that it was dangerous for a papist to be so intimate with the princess.—Earl of Dartmouth in Oxford ed. of this work.

full scheme of advices, together with the heads of a declaration, all which were chiefly penned by lord Danby. He, and the earl of Devonshire, and the lord Lumley, undertook for the north: and they all dispersed themselves into their several countries, and among their friends. The thing was in the hands of many thousands, who yet were so true to one another, that none of them made any discovery, no not by their rashness; though they were so confident, that they did not use so discreet a conduct as was necessary. Matters went on in Holland with great secrecy till September. Then it was known, that many arms were bespoken; and, though those were bargained for in the name of the king of Sweden, and of some of the princes of Germany, yet there was ground enough for suspicion. All those that were trusted proved both faithful, and discreet. And here an eminent difference appeared between the hearty concurrence of those who went into a design upon principles of religion, and honour, and the forced compliance of mercenary soldiers, or corrupt ministers, which is neither cordial nor secret. France took the alarm first, and gave it to the court of England.

D'Avaux, the French ambassador, could no more give the court of France those advertisements that he was wont to send of all that passed in Holland. He had great allowances for entertaining agents, and spies, every where. But Louvois, who hated him, suggested that there was no more need of these; so they were stopped: and the ambassador was not sorry, that the court felt their error so sensibly. The king published the advertisements he had from France a little too rashly; for all people were much animated when they heard it from such a hand. The king soon saw his error; and, to correct it, he said on many occasions, that whatever the designs of the Dutch might be, he was sure they were not against him. It was given out sometimes, that they were against France, and then that they were against Denmark: yet the king shewed he was not without his fears; for he ordered fourteen more ships to be put to sea, with many fire-ships. He recalled Strickland, and gave the command to the lord Dartmouth; who was indeed one of the worthiest men of his court: he loved him, and had been long in his service, and in his confidence; but he was much against all the conduct of his affairs: yet he resolved to stick to him at all hazards. The seamen came in slowly; and a heavy backwardness appeared in every thing.

A new and unlooked-for accident gave the king a very sensible trouble. It was resolved, as was told before, to model the army, and to begin with recruits from Ireland. Upon which the English army would have become insensibly an Irish one. The king made the first trial on the duke of Berwick's regiment, which being already under an illegal colonel, it might be supposed they were ready to submit to every thing. Five Irishmen were ordered to be put into every company of that regiment, which then lay at Portsmouth; but Beaumont, the lieutenant-colonel, and five of the captains, refused to receive them. They said, they had raised their men upon the duke of Monmouth's invasion, by which their zeal for the king's service did evidently appear. If the king would order any recruits, they doubted not, but that they should be able to make them: but they found it would give such an universal discontent, if they should receive the Irish among them, that it would put them out of a capacity of serving the king any more. But as the order was positive, so the duke of Berwick was sent down to see it obeyed. Upon which they desired leave to lay down their commissions. The king was provoked by this to such a degree, that he could not govern his passion. The officers were put in arrest, and brought before a council of war, where they were broken with reproach, and declared incapable to serve the king any more. But upon this occasion, the whole officers of the army declared so great an unwillingness to mix with those of another nation and religion, that, as no more attempts were made of this kind, so it was believed that this fixed the king in a point, that was then under debate.

The king of France, when he gave the king the advertisements of the preparations in Holland, offered him such a force as he should call for. Twelve, or fifteen, thousand were named, or as many more as he should desire. It was proposed, that they should land at Portsmouth, and that they should have that place to keep the communication with France open, and in their hands. All the priests were for this; so were most of the popish lords. The earl of Sunderland was the only man in credit that opposed it. He said, the offer of an army of forty thousand men might be a real strength; but then it would depend on the orders that came from France: they might perhaps master England; but they would become the king's

masters at the same time ; so that he must govern under such orders as they should give ; and thus he would quickly become only a viceroy to the king of France : any army less than that would lose the king the affections of his people, and drive his own army to desertion, if not to mutiny.

The king did not think matters were yet so near a crisis ; so he did neither entertain the proposition, nor let it fall quite to the ground. There was a treaty set on foot, and the king was to have an hundred merchant ships, ready for the transportation of such forces as he should desire, which it was promised should be ready when called for. It is certain, that the French ambassador, then at London, who knew the court better than he did the nation, did believe, that the king would have been able to have made a greater division of the nation, than it proved afterwards he was able to do. He believed it would have gone to a civil war ; and that then the king would have been forced to have taken assistance from France on any terms ; and so he encouraged the king of France to go on with his designs that winter, and he believed he might come in good time next year to the king's assistance. These advices proved fatal to the king, and to Barillon himself ; for, when he was sent over to France, he was so ill looked on, that it was believed it had an ill effect on his health ; for he died soon after.

Albeville came over fully persuaded that the Dutch designed the expedition against England, but played the minister so, that he took pains to infuse into all people that they designed no such thing ; which made him to be generally laughed at. He was soon sent back ; and, in a memorial he gave into the States, he asked, what was the design of those great and surprising preparations at such a season. The States, according to their slow forms, let this lie long before them, without giving it an answer.

But the court of France made a greater step. The French ambassador in a memorial told the States, that his master understood their design was against England, and in that case he signified to them, that there was such a strait alliance between him and the king of England, that he would look on every thing done against England, as an invasion of his own crown. This put the king and his ministers much out of countenance : for, upon some surmises of an alliance with France, they had very positively denied there was any such thing. Albeville did continue to deny it at the Hague, even after the memorial was put in. The king did likewise deny it to the Dutch ambassador at London. And the blame of the putting it into the memorial was cast on Skelton, the king's envoy at Paris, who was disowned in it, and upon his coming over was put in the Tower for it. This was a short disgrace ; for he was soon after made lieutenant of the Tower. His rash folly might have procured the order from the court of France, to own this alliance : he thought it would terrify the States, and so he pressed this officiously, which they easily granted. That related only to the owning it in so public a manner. But this did clearly prove, that such an alliance was made ; otherwise no instances, how pressing soever, would have prevailed with the court of France to have owned it in so solemn a manner : for what ambassadors say in their master's name, when they are not immediately disowned, passes for authentic : so that it was a vain cavil that some made afterwards, when they asked, how was this alliance proved ? The memorial was a full proof of it ; and the shew of a disgrace on Skelton did not at all weaken that proof.

But I was more confirmed of this matter by what sir William Trumball, then the English ambassador at Constantinople, told me at his return to England. He was the most eminent of all our civilians, and was by much the best pleader in those courts, and was a learned, a diligent, and a virtuous man. He was sent envoy to Paris upon the lord Preston's being recalled. He was there when the edict that repealed the edict of Nantes was passed, and saw the violence of the persecution, and acted a great and worthy part in harbouring many, in covering their effects, and in conveying over their jewels and plate to England ; which disgusted the court of France, and was not very acceptable to the court of England, though it was not then thought fit to disown or recall him for it \*. He had orders to put in memo-

\* Sir William Trumball, the friend of Dryden and the early patron of Pope, is another instance that poverty excellence. Straitened in his means when commencing life, he laboured with a diligence in his profession as a civilian that insured success. He was sent from the

rials, complaining of the invasion of the principality of Orange ; which he did in so high a strain, that the last of them was like a denunciation of war. From thence he was sent to Turkey. And, about this time, he was surprised one morning by a visit that the French ambassador made him, without those ceremonies that pass between ambassadors. He told him, there was no ceremony to be between them any more, for their masters were now one. And he shewed him Monsieur de Croissy's letter, which was written in cipher. The deciphering he read to him, importing, that now an alliance was concluded between the two kings. So, this matter was as evidently proved, as a thing of such a nature could possibly be.

The conduct of France at that time with relation to the States was very unaccountable, and proved as favourable to the prince of Orange's designs, as if he had directed it. All the manufacture of Holland, both linen and woollen, was prohibited in France. The importation of herrings was also prohibited, except they were cured with French salt. This was contrary to the treaty of commerce. The manufacture began to suffer much ; and this was sensible to those who were concerned in the herring trade. So the States prohibited the importing of French wine, or brandy, till the trade should be set free again on both sides. There was nothing that the prince had more reason to apprehend, than that the French should have given the States some satisfaction in the point of trade, and offered some assurances with relation to the territory of Cologne. Many of the towns of Holland might have been wrought on by some temper in these things ; great bodies being easily deceived, and not easily drawn into wars, which interrupt that trade which they subsist by. But the height the court of France was then in, made them despise all the world. They seemed rather to wish for a war, than to fear it. This disposed the States to an unanimous concurrence in the great resolutions that were now agreed on, of raising ten thousand men more, and of accepting thirteen thousand Germans, for whom the prince had, as was formerly mentioned, agreed with some of the princes of the empire. Amsterdam was at first cold in the matter ; but they consented with the rest. Reports were given out that the French would settle a regulation of commerce, and that they would abandon the cardinal, and leave the affairs of Cologne to be settled by the laws of the empire. Expedients were also spoken of for accommodating the matter, by prince Clement's being admitted coadjutor, and by his having some of the strong places put in his hands. This was only given out to amuse.

But while these things were discoursed of at the Hague, the world was surprised with a manifesto set out, in the king of France's name, against the emperor. In it the emperor's ill designs against France were set forth. It also complained of the elector Palatine's injustice to the duchess of Orleans, in not giving her the succession that fell to her by her brother's death, which consisted in some lands, cannon, furniture, and other moveable goods. It also charged him with the disturbances in Cologne, he having intended first to gain that to one of his own sons, and then engaging the Bavarian prince into it ; whose elder brother having no children, he hoped, by bringing him into an ecclesiastical state, to make the succession of Bavaria fall into his own family. It charged the emperor, likewise, with a design to force the electors to choose his son king of the Romans ; and that the elector Palatine was pressing him to make peace with the Turks, in order to the turning his arms against France. By their means a great alliance was projected among many protestant princes to disturb cardinal Furstemberg in the possession of Cologne, to which he was postulated by the majority of the chapter. And this might turn to the prejudice of the catholic religion in that territory. Upon all these considerations, the king of France, seeing that his enemies could not enter into France by any other way but by that of Philipsburg, resolved to possess himself of it, and then to demolish it. He resolved also to take Kaiserslauter from the Palatine, and to keep it, till the duchess of Orleans had justice done her in her pretensions ; and he also resolved to support the cardinal in his possession of Cologne. But, to balance this, he offered to the house of Bavaria, that prince Clement should be chosen coadjutor. He offered also to raise

court of France to that of Turkey in 1687. William the Third continued him in this appointment, and then made him a commissioner of the navy, privy councillor, and secretary of state. He represented Oxford university in parliament during 1695. He retired from public life to East Hamsted, in Berkshire, and, devoting his leisure to

literature, continued there until his death, which occurred in 1716, when he was seventy-eight. His letters are to be found among those of Pope and others. He also wrote a life of archbishop Dolben.—Gen. Biog. Dictionary ; Noble's Continuation of Grainger.

Fribourg, and to restore Kaiserslauter, as soon as the elector Palatine should pay the duchess of Orleans the just value of her pretensions. He demanded, that the truce between him and the empire should be turned into a peace. He proposed that the king of England and the republic of Venice should be the mediators of this peace. And he concluded all, declaring that he would not bind himself to stand to the conditions now offered by him, unless they were accepted before January.

I have given a full abstract of this manifesto: for upon it did the great war begin, which lasted till the peace of Ryswick. And, upon the grounds laid down in this manifesto, it will evidently appear whether the war was a just one or not. This declaration was much censured, both for the matter and for the style. It had not the air of greatness which became crowned heads. The duchess of Orleans's pretensions to old furniture was a strange rise to a war; especially when it was not alleged that these had been demanded in the forms of law, and that justice had been denied, which was a course necessarily to be observed in things of that nature. The judging of the secret intentions of the elector palatine with relation to the house of Bavaria was absurd. And the complaints of designs to bring the emperor to a peace with the Turks, that so he might make war on France, and of the emperor's design to force an election of a king of the Romans, was the entering into the secrets of those thoughts which were only known to God. Such conjectures, so remote and uncertain, and that could not be proved, were a strange ground of war. If this was once admitted, all treaties of peace were vain things, and were no more to be reckoned or relied on. The reason given of the intention to take Philipsburg, because it was the most proper place by which France could be invaded, was a throwing off all regards to the common decencies observed by princes. All fortified places on frontiers are intended both for resistance, and for magazines; and are of both sides conveniences for entering into the neighbouring territory, as there is occasion for it. So here was a pretence set up, of beginning a war, that puts an end to all the securities of peace.

The business of Cologne was judged by the pope, according to the laws of the empire: and his sentence was final: nor could the postulation of the majority of the chapter be valid, unless two-thirds joined in it. The cardinal was commended in the manifesto for his care in preserving the peace of Europe. This was ridiculous to all, who knew that he had been for many years the great incendiary, who had betrayed the empire, chiefly in the year 1672. The charge that the emperor's agent had laid on him before the chapter was also complained of, as an infraction of the amnesty stipulated by the peace of Nimeguen. He was not indeed to be called to an account, in order to be punished for anything done before that peace. But that did not bind up the emperor from endeavouring to exclude him from so great a dignity, which was likely to prove fatal to the empire. These were some of the censures that passed on this manifesto; which was indeed looked on, by all who had considered the rights of peace and the laws of war, as one of the most avowed and solemn declarations that ever was made of the perfidiousness of that court. And it was thought to be some degrees beyond that in the year 1672, in which that king's glory was pretended as the chief motive of that war. For, in that, particulars were not reckoned up: so it might be supposed he had met with affronts, which he did not think consistent with his greatness to be mentioned. But here all that could be thought on, even the hangings of Heidelberg, were enumerated: and all together amounted to this, that the king of France thought himself tied by no peace; but that, when he suspected his neighbours were intending to make war upon him, he might upon such a suspicion begin a war on his part.

This manifesto against the emperor was followed by another against the pope, written in the form a letter to cardinal D'Estrées, to be given by him to the pope. In it he reckoned all the partiality that the pope had shown during his whole pontificate, both against France and in favour of the house of Austria. He mentioned the business of the regale; his refusing the bulls to the bishops nominated by him; the dispute about the franchises, of which his ambassadors had been long in possession; the denying audience, not only to his ambassador, but to a gentleman whom he had sent to Rome without a character, and with a letter written in his own hand. In conclusion, he complained of the pope's breaking the canons of the church, in granting bulls in favour of prince Clement, and in denying justice to car-

dinal Furstemberg. For all these reasons the king was resolved to separate the character of the most holy father from that of a temporal prince: and therefore he intended to seize on Avignon, as likewise on Castro, until the pope should satisfy the pretensions of the duke of Parma. He complained of the pope's not concurring with him in the concerns of the church for the extirpation of heresy: in which the pope's behaviour gave great scandal both to the old catholics, and to the new converts. It also gave the prince of Orange the boldness to go and invade the king of England, under the pretence of supporting the protestant religion, but indeed to destroy the catholic religion, and to overturn the government: upon which his emissaries and the writers in Holland gave out that the birth of the prince of Wales was an imposture.

This was the first public mention that was made of the imposture of that birth: for the author of a book, written to that purpose, was punished for it in Holland. It was strange to see the disputes about the franchises made a pretence for a war: for certainly all sovereign princes can make such regulations as they think fit in those matters. If they cut ambassadors short in any privilege, their ambassadors are to expect the same treatment from other princes: and as long as the sacredness of an ambassador's person, and of his family, was still preserved, which was all that was a part of the law of nations, princes may certainly limit the extent of their other privileges, and may refuse any ambassadors who will not submit to their regulation. The number of an ambassador's retinue is not a thing that can be well defined: but if an ambassador comes with an army about him, instead of a retinue, he may be denied admittance. And if he forces it, as Lavardin had done, it was certainly an act of hostility: and, instead of having a right to the character of an ambassador, he might well be considered and treated as an enemy.

The pope had observed the canons in rejecting cardinal Furstemberg's defective postulation. And, whatever might be brought from ancient canons, the practice of that church for many ages, allowed of the dispensations that the pope granted to prince Clement. It was looked on by all people as a strange reverse of things, to see the king of France, after all his cruelty to the protestants, now go to make war on the pope; and on the other hand, to see the whole protestant body concurring to support the authority of the pope's bulls in the business of Cologne; and to defend the two houses of Austria and Bavaria, by whom they were laid so low but threescore years before this. The French, by the war that they had now begun, had sent their troops towards Germany and the Upper Rhine; and so had rendered their sending an army over to England impracticable: nor could they send such a force into the bishopric of Cologne, as could any ways alarm the States. So that the invasion of Germany made the designs, that the prince of Orange was engaged in, both practicable and safe.

Marshal Schomberg came at this time into the country of Cleves. He was a German by birth: so when the persecution was begun in France, he desired leave to return into his own country. That was denied him. All the favour he could obtain was leave to go to Portugal. And so cruel is the spirit of popery, that, though he had preserved that kingdom from falling under the yoke of Castile, yet now that he came thither for refuge, the inquisition represented that matter of giving harbour to a heretic so odiously to the king, that he was forced to send him away. He came from thence first to England, and then he passed through Holland, where he entered into a particular confidence with the prince of Orange. And being invited by the old elector of Brandenburg, he went to Berlin: where he was made governor of Prussia, and set at the head of all the elector's armies. The son treated him now with the same regard that the father had for him: and sent him to Cleves, to command the troops that were sent from the empire to the defence of Cologne. The cardinal offered a neutrality to the town of Cologne. But they chose rather to accept a garrison that Schomberg sent them: by which not only that town was secured, but a stop was put to any progress the French could make, till they could get that great town into their hands. By these means the States were safe on all hands for this winter: and this gave the prince of Orange great quiet in prosecuting his designs upon England. He had often said, that he would never give occasion to any of his enemies to say that he had carried away the best force of the States, and had left them exposed to any impressions that might be made on

them in his absence. He had now reason to conclude that he had no other risk to run in his intended expedition, but that of the seas and the weather. The seas were then very boisterous: and the season of the year was so far spent, that he saw he was to have a campaign in winter. But all other things were now well secured by this unexpected conduct of the French.

There was a fleet now set to sea of about fifty sail. Most of them were third or fourth rates, commanded by Dutch officers. But Herbert, as representing the prince's person, was to command in chief, as lieutenant-general-admiral. This was not very easy to the States, nor indeed to the prince himself; who thought it an absurd thing to set a stranger at the head of their fleet. Nothing less would content Herbert. And it was said, that nothing would probably make the English fleet come over and join with the prince, so much as the seeing one that had lately commanded them at the head of the Dutch fleet. There was a transport fleet hired for carrying over the army. And this grew to be about five hundred vessels: for, though the horse and dragoons in pay were not four thousand, yet the horses for officers and volunteers, and for artillery and baggage, were above seven thousand. There were arms provided for twenty thousand more. And, as things were thus made ready,

The declaration that the prince was to publish came to be considered. A great many draughts were sent from England by different hands. All these were put in the pensioner Fagel's hands, who upon that made a long and heavy draught, founded on the grounds of the civil law, and of the law of nations. That was brought to me to be put in English. I saw he was fond of his own draught: and the prince left that matter wholly to him: yet I got it to be much shortened, though it was still too long. It set forth at first a long recital of all the violations of the laws of England, both with relation to religion, to the civil government, and to the administration of justice, which have been all opened in the series of the history. It set forth next all remedies that had been tried in a gentler way; all which had been ineffectual. Petitioning by the greatest persons, and in the most private manner, was made a crime. Endeavours were used to pack a parliament, and to pre-engage both the votes of the electors and the votes of such as upon the election should be returned to sit in parliament. The writs were to be addressed to unlawful officers, who were disabled by law to execute them: so that no legal parliament could now be brought together. In conclusion, the reasons of suspecting the queen's pretended delivery were set forth in general terms. Upon these grounds the prince, seeing how little hope was left of succeeding in any other method, and being sensible of the ruin both of the protestant religion, and of the constitution of England and Ireland, that was imminent, and being earnestly invited by men of all ranks, and in particular by many of the peers, both spiritual and temporal, he resolved, according to the obligation he lay under, both on the princess's account and on his own, to go over into England, and to see for proper and effectual remedies for redressing such growing evils, in a parliament that should be lawfully chosen, and should sit in full freedom, according to the ancient custom and constitution of England, with which he would concur in all things that might tend to the peace and happiness of the nation. And he promised in particular, that he would preserve the church and the established religion, and that he would endeavour to unite all such as divided from the church to it, by the best means that could be thought on, and that he would suffer such as would live peaceably to enjoy all due freedom in their consciences, and that he would refer the enquiry into the queen's delivery to a parliament, and acquiesce in its decision. This the prince signed and sealed on the tenth of October. With this the prince ordered letters to be written in his name, inviting both the soldiers, seamen, and others to come and join with him, in order to the securing their religion, laws, and liberties. Another short paper was drawn by me concerning the measures of obedience, justifying the design, and answering the objections that might be made to it. Of all these, many thousand copies were printed, to be dispersed at our landing.

The prince desired me to go along with him as his chaplain, to which I very readily agreed: for, being fully satisfied in my conscience that the undertaking was lawful, and just, and having had a considerable hand in advising the whole progress of it, I thought it would have been an unbecoming fear in me to have taken care of my own person, when the prince was venturing his, and the whole was now to be put to hazard. It is true I, being a Scotchman by birth, had reason to expect that, if I had fallen into the enemies' hands, I should

have been sent to Scotland, and put to the torture there. And, having this in prospect, I took care to know no particulars of any of those who corresponded with the prince. So that knowing nothing against any, even torture itself could not have drawn from me that, by which any person could be hurt. There was another declaration prepared for Scotland. But I had no other share in that, but that I corrected it in several places, chiefly in that which related to the church: for the Scots at the Hague, who were all presbyterians, had drawn it so, that, by many passages in it, the prince by an implication declared in favour of presbytery. He did not see what the consequences of those were till I explained them. So he ordered them to be altered. And by the declaration that matter was still entire.

As Sidney brought over letters from the persons formerly mentioned, both inviting the prince to come over to save and rescue the nation from ruin, and assuring him that they wrote that which was the universal sense of all the wise and good men in the nation: so they also sent over with him a scheme of advices. They advised his having a great fleet, but a small army: they thought it should not exceed six or seven thousand men. They apprehended, that an ill-use might be made of it, if he brought over too great an army of foreigners, to infuse into people a jealousy that he designed a conquest: they advised his landing in the North, either in Burlington Bay, or a little below Hull: Yorkshire abounded in horse: and the gentry were generally well affected, even to zeal, for the design: the country was plentiful, and the roads were good till within fifty miles of London. The earl of Danby was earnest for this, hoping to have had a share in the whole management, by the interest he believed he had in that country. It was confessed, that the western counties were well affected: but it was said, that the miscarriage of Monmouth's invasion, and the executions which followed it, had so dispirited them, that it could not be expected they would be forward to join the prince: above all things they pressed dispatch, and all possible haste: the king had then but eighteen ships riding in the Downs: but a much greater fleet was almost ready to come out: they only wanted seamen, who came in very slowly.

When these things were laid before the prince, he said, he could by no means resolve to come over with so small a force: could not believe what they suggested, concerning the king's army's being disposed to come over to him: nor did he reckon, so much as they did, on the people of the country's coming in to him: he said he could trust to neither of these: he could not undertake so great a design, the miscarriage of which would be the ruin both of England and Holland, without such a force as he had reason to believe would be superior to the king's own, though his whole army should stick to him. Some proposed, that the prince would divide his force, and land himself with the greatest part in the North, and send a detachment to the West, under marshal Schomberg. They pressed the prince very earnestly to bring him over with him, both because of the great reputation he was in, and because they thought it was a security to the prince's person, and to the whole design, to have another general with him, to whom all would submit in case of any dismal accident: for it seemed too much to have all depend on a single life: and they thought that would be the safer, if their enemies saw another person capable of the command, in case they should have a design upon the prince's person. With this the prince complied easily, and obtained the elector's consent to carry him over with him. But he rejected the motion of dividing his fleet and army. He said, such a divided force might be fatal: for if the king should send his chief strength against the detachment, and have the advantage, it might lose the whole business; since a misfortune in any one part might be the ruin of the whole.

When these advices were proposed to Herbert, and the other seamen, they opposed the landing in the north vehemently. They said, no seamen had been consulted in that: the north coast was not fit for a fleet to ride in during an east wind, which it was to be expected in winter might blow so fresh, that it would not be possible to preserve the fleet; and if the fleet was left there, the channel was open for such forces as might be sent from France: the channel was the safer sea for the fleet to ride in, as well as to cut off the assistance from France. Yet the advices for this were so positive, and so often repeated from England, that the prince was resolved to have split the matter, and to have landed in the North, and then to have sent the fleet to lie in the channel.

The prince continued still to cover his design, and to look towards Cologne. He ordered a review of his army, and an encampment for two months at Nimeguen. A train of artillery was also ordered. By these orders the officers saw a necessity of furnishing themselves for so long a time. The main point remained, how money should be found for so chargeable an expedition. The French ambassador had his eye upon this: and reckoned that, whenever anything relating to it should be moved, it would be then easy to raise an opposition, or at least to create a delay. But Fagel's great foresight did prevent this. In the July before, it was represented to the States, that now by reason of the neighbourhood of Cologne, and the war that was likely to arise there, it was necessary to repair their places, both on the Rhine and the Issel, which were in a very bad condition. This was agreed to: and the charge was estimated at four millions of guilders. So the States created a fund for the interest of that money, and ordered it to be taken up by a loan. It was all brought in in four days. About the end of September a message was delivered to the States from the elector of Brandenburg, by which he undertook to send an army into his country of Cleves, and to secure the States from all danger on that side for this winter.

Upon this, it was proposed to lend the prince the four millions. And this passed easily in the States, without any opposition, to the amazement of all that saw it: for it had never been known that so great and so dangerous an expedition in such a season had been so easily agreed to, without so much as one disagreeing vote, either at the Hague, or in any of the towns of Holland. All people went so cordially into it, that it was not necessary to employ much time in satisfying them, both of the lawfulness and of the necessity of the undertaking. Fagel had sent for all the eminent ministers of the chief towns of Holland: and, as he had a vehemence as well as a tenderness in speaking, he convinced them evidently, that both their religion and their country were in such imminent danger, that nothing but this expedition could save them: they saw the persecution in France: and in that they might see what was to be expected from that religion: they saw the violence with which the king of England was driving matters in his country, which, if not stopped, would soon prevail. He sent them thus full of zeal to dispose the people to a hearty approbation and concurrence in this design. The ministers in Holland are so watched over by the States, that they have no more authority when they meet in a body, in a synod, or in a classis, than the States think fit to allow them. But I was never in any place, where I thought the clergy had generally so much credit with the people, as they have there: and they employed it all upon this occasion very diligently, and to good purpose. Those who had no regard to religion, yet saw a war begun in the empire by the French. And the publication of the alliance between France and England, by the French ambassador, made them conclude that England would join with France. They reckoned they could not stand before such an united force, and that therefore it was necessary to take England out of the hands of a prince, who was such a firm ally to France. All the English that lived in Holland, especially the merchants that were settled in Amsterdam, where the opposition was likely to be strongest, had such positive advices of the disposition that the nation, and even the army were in; that, as this undertaking was considered as the only probable means of their preservation, it seemed so well concerted, that little doubt was made of success, except what arose from the season; which was not only far spent, but the winds were both so contrary, and so stormy, for many weeks, that a forcible stop seemed put to it by the hand of Heaven.

Herbert went to sea with the Dutch fleet, and was ordered to stand over to the Downs, and to look on the English fleet, to try if any would come over, of which some hopes were given; or to engage them, while they were then not above eighteen or twenty ships strong. But the contrary winds made this not only impracticable, but gave great reason to fear that a great part of the fleet would be either lost, or disabled. These continued for above a fortnight, and gave us at the Hague a melancholy prospect. Herbert also found that the fleet was neither so strong, nor so well manned, as he had expected.

All the English that were scattered about the provinces, or in Germany, came to the Hague. Among these there was one Wildman, who, from being an agitator in Cromwell's army, had been a constant meddler on all occasions in everything that looked like sedition,

and seemed inclined to oppose everything that was uppermost. He brought his usual ill-humour along with him, having a peculiar talent in possessing others by a sort of contagion with jealousy and discontent. To these the prince ordered his declaration to be shown. Wildman took great exceptions to it, with which he possessed many to such a degree, that they began to say they would not engage upon those grounds. Wildman had drawn one, in which he had laid down a scheme of the government of England, and then had set forth many particulars in which it had been violated, carrying these a great way into king Charles's reign ; all which he supported by many authorities from law books. He objected to the prince's insisting so much on the dispensing power, and on what had been done to the bishops. He said, there was certainly a dispensing power in the crown, practised for some ages : very few patents passed in which there was not a "non obstante" to one or more acts of parliament : this power had been too far stretched of late : but the stretching of a power that was in the crown, could not be a just ground of war : the king had a right to bring any man to a trial : the bishops had a fair trial, and were acquitted, and discharged upon it : in all which there was nothing done contrary to law. All this seemed mysterious, when a known republican was become an advocate for prerogative. His design in this was deep and spiteful. He saw that, as the declaration was drawn, the church party would come in, and be well received by the prince : so he, who designed to separate the prince and them at the greatest distance from one another, studied to make the prince declare against those grievances, in which many of them were concerned, and which some among them had promoted. The earl of Macclesfield, with the lord Mordaunt, and many others, joined with him in this. But the earl of Shrewsbury, together with Sidney, Russel, and some others, were as positive in their opinion that the prince ought not to look so far back as into king Charles's reign : this would disgust many of the nobility and gentry, and almost all the clergy : so they thought the declaration was to be so conceived, as to draw in the body of the whole nation : they were all alarmed with the dispensing power : and it would seem very strange to see an invasion, in which this was not set out as the main ground of it : every man could distinguish between the dispensing with a special act in a particular case, and a total dispensing with laws to secure the nation and the religion : the ill designs of the court, as well as the affections of the nation, had appeared so evidently in the bishops' trial, that if no notice was taken of it, it would be made use of to possess all people with an opinion of the prince's ill-will to them. Russel said, that any reflections made on king Charles's reign would not carry over all the high church party, but all the army, entirely to the king. Wildman's declaration was much objected to. The prince could not enter into a discussion of the law and government of England : that was to be left to the parliament : the prince could only set forth the present and public grievances as they were transmitted to him by those upon whose invitation he was going over. This was not without some difficulty overcome, by altering some few expressions in the first draught, and leaving out some circumstances. So the declaration was printed over again, with some amendments.

In the beginning of October, the troops marched from Nimeguen were put on board in the Zuyder sea, where they lay above ten days before they could get out of the Texel. Never was so great a design executed in so short a time. A transport fleet of five hundred vessels was hired in three days' time. All things, as soon as they were ordered, were got to be so quickly ready, that we were amazed at the dispatch. It is true, some things were wanting, and some things had been forgotten. But when the greatness of the equipage was considered, together with the secrecy with which it was to be conducted till the whole design was to be avowed, it seemed much more strange that so little was wanting, or that so few things had been forgotten. Bentinck, Dykvelt, Herbert, and Van Hulst, were for two months constantly at the Hague, giving all necessary orders with so little noise that nothing broke out all that while. Even in lesser matters favourable circumstances concurred to cover the design. Bentinck used to be constantly with the prince, being the person that was most entirely trusted and constantly employed by him : so that his absence from him, being so extraordinary a thing, might have given some umbrage. But all the summer his lady was so very ill, that she was looked on every day as one that could not live three days to an end : so that this was a very just excuse for his attendance at the Hague.

I waited on the princess a few days before we left the Hague. She seemed to have a great load on her spirits, but to have no scruple as to the lawfulness of the design. After much other discourse, I said, that if we got safe to England, I made no great doubt of our success in all other things. I only begged her pardon to tell her, that if there should happen to be at any time any disjoining between the prince and her, that would ruin all. She answered me, that I needed fear no such thing: if any person should attempt that, she would treat them so, as to discourage all others from venturing on it for the future. She was very solemn and serious, and prayed God earnestly to bless and direct us.

On the sixteenth of October, O. S., the wind, that had stood so long in the west, came into the east. So orders were sent to all to haste to Helvoet-Sluys. That morning the prince went into the assembly of the States-general, to take leave of them. He said to them, he was extremely sensible of the kindness they had all shown him upon many occasions: he took God to witness, he had served them faithfully ever since they had trusted him with the government, and that he had never any end before his eyes but the good of the country: he had pursued it always: and if at any time he erred in his judgment, yet his heart was ever set on procuring their safety and prosperity. He took God to witness, he went to England with no other intentions, but those he had set out in his declaration: he did not know how God might dispose of him: to his providence he committed himself: whatsoever might become of him, he committed to them the care of their country, and recommended the princess to them in a most particular manner: he assured them, she loved their country perfectly, and equally with her own: he hoped that, whatever might happen to him, they would still protect her, and use her as she well deserved; and so he took leave. It was a sad, but a kind parting. Some of every province offered at an answer to what the prince had said: but they all melted into tears and passion; so that their speeches were much broken, very short, and extremely tender. Only the prince himself continued firm in his usual gravity and phlegm. When he came to Helvoet-Sluys, the transport fleet had consumed so much of their provisions, that three days of the good wind were lost before all were supplied anew.

At last, on the nineteenth of October, the prince went aboard, and the whole fleet sailed out that night. But the next day the wind turned into the north, and settled in the north-west. At night a great storm rose. We wrought against it all that night, and the next day. But it was in vain to struggle any longer. And so vast a fleet run no small hazard, being obliged to keep together, and yet not to come too near one another. On the twenty-first in the afternoon the signal was given to go in again: and on the twenty-second the far greater part got safely into port. Many ships were at first wanting, and were believed to be lost. But after a few days all came in. There was not one ship lost; nor so much as any one man, except one that was blown from the shrouds into the sea. Some ships were so shattered, that as soon as they came in, and all was taken out of them, they immediately sunk down. Only five hundred horses died from want of air. Men are upon such occasions apt to flatter themselves upon the points of Providence. In France and England, as it was believed that our loss was much greater than it proved to be, so they triumphed not a little, as if God had fought against us, and defeated the whole design. We on our part, who found ourselves delivered out of so great a storm and so vast a danger, looked on it as a mark of God's great care of us, who, though he had not changed the course of the winds and seas in our favour, yet had preserved us while we were in such apparent danger, beyond what could have been imagined. The States were not at all discouraged with this hard beginning, but gave the necessary orders for supplying us with every thing that we needed. The princess behaved herself at the Hague suitably to what was expected from her. She ordered prayers four times a day, and assisted at them with great devotion. She spoke to nobody of affairs, but was calm, and silent. The States ordered some of their body to give her an account of all their proceedings. She indeed answered little: but in that little she gave them cause often to admire her judgment.

In England the court saw now, that it was in vain to dissemble, or disguise, their fears any more. Great consultations were held there. The earl of Melfort, and all the papists, proposed the seizing on all suspected persons, and the sending them to Portsmouth. The earl

of Sunderland opposed this vehemently. He said, it would not be possible to seize on many at the same time; and the seizing on a few would alarm all the rest: it would drive them into the prince, and furnish them with a pretence for it: he proposed rather, that the king would do such popular things, as might give some content, and lay that fermentation with which the nation was then, as it were, distracted. This was at that time complied with: but all the popish party continued upon this to charge lord Sunderland, as one that was in the king's counsels only to betray them; that had before diverted the offer of assistance from France, and now the securing those who were the most likely to join and assist the prince. By their importunities the king was at last so prevailed on, that he turned him out of all his places; and lord Preston was made secretary of state. The fleet was now put out, and was so strong that, if they had met the Dutch fleet, probably they would have been too hard for them, especially considering the great transport fleet that they were to cover. All the forces that were in Scotland were ordered into England; and that kingdom was left in the hands of their militia. Several regiments came likewise from Ireland. So that the king's army was then about thirty thousand strong. But, in order to lay the heat that was raised in the nation, the king sent for the bishops; and set out the injustice of this unnatural invasion that the prince was designing: he assured them of his affections to the church of England; and protested, he had never intended to carry things further than to an equal liberty of conscience: he desired, they would declare their abhorrence of this invasion, and that they would offer him their advice, what was fit for him to do. They declined the point of abhorrence, and advised the present summoning a parliament; and that in the mean while the ecclesiastical commission might be broken, the proceedings against the bishop of London and Magdalen college might be reversed, and that the law might be again put in its channel. This they delivered with great gravity, and with a courage that recommended them to the whole nation. There was an order sent them from the king afterwards, requiring them to compose an office for the present occasion. The prayers were so well drawn, that even those who wished for the prince might have joined in them. The church party did now show their approbation of the prince's expedition in such terms, that many were surprised at it, both then, and since that time. They spoke openly in favour of it. They expressed their grief to see the wind so cross. They wished for an east wind, which, on that occasion, was called the protestant wind. They spoke with great scorn of all that the court was then doing to regain the hearts of the nation. And indeed the proceedings of the court that way were so cold, and so forced, that few were likely to be deceived by them, but those who had a mind to be deceived. The writs for a parliament were often ordered to be made ready for the seal, and were as often stopped. Some were sealed, and given out: but they were quickly called in again. The old charters were ordered to be restored again. Jeffreys himself carried back the charter of the city of London, and put on the appearances of joy and heartiness when he gave it to them. All men saw through that affectation: for he had raised himself chiefly upon the advising, or promoting, that matter of the surrender, and the forfeiture of the charters. An order was also sent to the bishop of Winchester, to put the president of Magdalen college again in possession. Yet, that order not being executed when the news was brought that the prince and his fleet were blown back, it was countermanded; which plainly showed what it was that drove the court into so much compliance, and how long it was likely to last.

The matter of the greatest concern, and that could not be dropped, but was to be supported, was the birth of the prince of Wales. And therefore the court thought it necessary, now in an after-game, to offer some satisfaction in that point. So a great meeting was called, not only of all the privy councillors and judges, but of all the nobility then in town. To these the king complained of the great injury that was done both him and the queen, by the prince of Orange, who accused them of so black an imposture: he said, he believed there were few princes then alive, who had been born in the presence of more witnesses than were at his son's birth: he had therefore called them together, that they might hear the proof of that matter. It was first proved that the queen was delivered abed, while many were in the room; and that they saw the child soon after he was taken from the queen by the midwife. But in this the midwife was the single witness; for none of the ladies had felt the child in

the queen's belly. The countess of Sunderland did indeed depose, that the queen called to her to give her her hand, that she might feel how the child lay; to which she added, "which I did;" but did not say, whether she felt the child, or not: and she told the duchess of Hamilton, from whom I had it, that when she put her hand into the bed, the queen held it, and let it go no lower than her breasts. So that really she felt nothing. And this deposition, brought to make a show, was an evidence against the matter, rather than for it; and was a violent presumption of an imposture, and of an artifice to cover it. Many ladies deposed that they had often seen the marks of milk on the queen's linen, near her breasts. Two or three deposed, that they saw it running out at the nipple. All these deposed, that they saw milk before the pretended delivery. But none of them deposed concerning milk after the delivery; though nature sends it then in greater abundance: and the queen had it always in such a plenty, that some weeks passed after her delivery before she was quite freed from it. The ladies did not name the time in which they saw the milk, except one, who named the month of May. But, if the particulars mentioned before, that happened on Easter Monday, are reflected on, and if it appears probable by these that the queen miscarried at that time; then all that the ladies mentioned of milk in her breasts, particularly she that fixed it to the month of May, might have followed upon that miscarriage, and be no proof concerning the late birth. Mrs. Pierce, the laundress, deposed that she took linen from the queen's body once, which carried the marks of a delivery. But she spoke only to one time. That was a main circumstance; and, if it had been true, it must have been often done, and was capable of a more copious proof, since there is occasion for such things to be often looked on, and well considered. The lady Wentworth was the single witness that deposed that she had felt the child move in the queen's belly. She was a bed-chamber woman, as well as a single witness; and she fixed it on no time. If it was very early, she might have been mistaken: or if it was before Easter Monday, it might be true, and yet have no relation to this birth. This was the substance of this evidence, which was ordered to be enrolled and printed. But when it was published, it had a quite contrary effect to what the court expected from it. The presumption of law before this was all in favour of the birth, since the parents owned the child: so that the proof lay on the other side, and ought to be offered by those who called it in question. But, now that this proof was brought, which was so apparently defective, it did not lessen but increase the jealousy with which the nation was possessed: for all people concluded that, if the thing had been true, it must have been easy to have brought a much more copious proof than was now published to the world. It was much observed, that princess Anne was not present. She indeed excused herself: she thought she was breeding; and all motion was forbidden her. None believed that to be the true reason; for it was thought that the going from one apartment of the court to another could not hurt her. So it was looked on as a colour that showed she did not believe the thing; and that therefore she would not, by her being present, seem to give any credit to it.

This was the state of affairs in England, while we lay at Helvoet-Sluys, where we continued till the first of November. Here Wildman created a new disturbance. He plainly had a show of courage, but was, at least, then a coward. He possessed some of the English with an opinion, that the design was now irrecoverably lost. This was entertained by many, who were willing to hearken to any proposition, that set danger at a distance from themselves. They were still magnifying the English fleet, and undervaluing the Dutch. They went so far in this, that they proposed to the prince, that Herbert should be ordered to go over to the coast of England, and either fight the English fleet, or force them in: and in that case the transport fleet might venture over; which otherwise they thought could not be safely done. This some urged with such earnestness, that nothing but the prince's authority, and Schomberg's credit, could have withstood it. The prince told them, the season was now so far spent, that the losing of more time was the losing the whole design: fleets might lie long in view of one another, before it could be possible for them to come to an engagement, though both sides equally desired it; but much longer, if any one of them avoided it; it was not possible to keep the army, especially the horse, long at sea: and it was no easy matter to take them all out, and to ship them again: after the wind had stood

so long in the west, there was reason to hope it would turn to the east: and when that should come, no time was to be lost: for it would sometimes blow so fresh in a few days as to freeze up the river; so that it would not be possible to get out all the winter long. With these things he rather silenced than quieted them. All this while the men-of-war were still riding at sea, it being a continued storm for some weeks. The prince sent out several advice boats with orders to them to come in. But they could not come up to them. On the twenty-seventh of October there was for six hours together a most dreadful storm: so that there were few among us, that did not conclude, that the best part of the fleet, and by consequence that the whole design, was lost. Many that have passed for heroes, yet showed then the agonies of fear in their looks and whole deportment. The prince still retained his usual calmness, and the same tranquillity of spirit, that I had observed in him in his happiest days. On the twenty-eighth it calmed a little, and our fleet came all in, to our great joy. The rudder of one third-rate was broken, and that was all the hurt that the storm had done. At last the much-longed-for east wind came. And so hard a thing it was to set so vast a body in motion, that two days of this wind were lost before all could be quite ready.

On the first of November, O. S., we sailed out with the evening tide, but made little way that night, that so our fleet might come out and move in order. We tried next day till noon if it was possible to sail northward, but the wind was so strong and full in the east, that we could not move that way. About noon the signal was given to steer westward. This wind not only diverted us from that unhappy course, but it kept the English fleet in the river: so that it was not possible for them to come out, though they were come down as far as to the Gunfleet. By this means we had the sea open to us, with a fair wind and a safe navigation. On the third we passed between Dover and Calais, and before night came in sight of the Isle of Wight. The next day, being the day in which the prince was both born and married, he fancied if he could land that day it would look auspicious to the army, and animate the soldiers. But we all who considered that the day following, being Gunpowder-treason day, our landing that day might have a good effect on the minds of the English nation, were better pleased to see that we could land no sooner. Torbay was thought the best place for our great fleet to lie in: and it was resolved to land the army where it could be best done near it; reckoning, that being at such a distance from London, we could provide ourselves with horses, and put everything in order before the king could march his army towards us, and that we should lie some time at Exeter for the refreshing our men. I was in the ship, with the prince's other domestics, that went in the van of the whole fleet. At noon on the fourth, Russel came on board us, with the best of all the English pilots that they had brought over. He gave him the steering of the ship, and ordered him to be sure to sail so that next morning we should be short of Dartmouth: for it was intended that some of the ships should land there, and that the rest should sail into Torbay. The pilot thought he could not be mistaken in measuring our course; and believed that he certainly kept within orders, till the morning shewed us we were past Torbay and Dartmouth. The wind, though it had abated much of its first violence, yet was still full in the east. So now it seemed necessary for us to sail on to Plymouth, which must have engaged us in a long and tedious campaign in winter, through a very ill country. Nor were we sure to be received at Plymouth. The earl of Bath, who was governor, had sent by Russel a promise to the prince to come and join him: yet it was not likely that he would be so forward as to receive us at our first coming. The delays he made afterwards, pretending that he was managing the garrison, whereas he was indeed staying till he saw how the matter was likely to be decided, showed us how fatal it had proved, if we had been forced to sail on to Plymouth. But while Russel was in no small disorder, after he saw the pilot's error, (upon which he bid me go to my prayers, for all was lost,) and as he was ordering the boat to be cleared to go aboard the prince, on a sudden, to all our wonder, it calmed a little. And then the wind turned into the south: and a soft and happy gale of wind carried in the whole fleet in four hours' time into Torbay. Immediately as many landed as conveniently could. As soon as the prince and marshal Schomberg got to shore, they were furnished with such horses as the village of Broxholme could afford; and rode up to view the grounds, which they found as convenient as could be imagined for the foot in that season. It was

not a cold night: otherwise the soldiers, who had been kept warm aboard, might have suffered much by it. As soon as I landed, I made what haste I could to the place where the prince was, who took me heartily by the hand, and asked me if I would not now believe predestination. I told him I would never forget that providence of God which had appeared so signally on this occasion. He was more cheerful than ordinary. Yet he returned soon to his usual gravity. The prince sent for all the fishermen of the place, and asked them which was the properest place for landing his horse, which all apprehended would be a tedious business, and might hold some days. But next morning he was shown a place, a quarter of a mile below the village, where the ships could be brought very near the land, against a good shore, and the horses would not be put to swim above twenty yards. This proved to be so happy for our landing, though we came to it by mere accident, that if we had ordered the whole island round to be sounded, we could not have found a more proper place for it. There was a dead calm all that morning: and in three hours' time all our horse were landed, with as much baggage as was necessary till we got to Exeter. The artillery and heavy baggage were left aboard, and ordered to Topsham, the seaport to Exeter. All that belonged to us was so soon and so happily landed, that, by the next day at noon we were in full march, and marched four miles that night. We had from thence twenty miles to Exeter, and we resolved to make haste thither. But, as we were now happily landed and marching, we saw new and unthought-of characters of a favourable providence of God watching over us. We had no sooner got thus disengaged from our fleet, than a new and great storm blew from the west, from which our fleet, being covered by the land, could receive no prejudice; but the king's fleet had got out as the wind calmed, and, in pursuit of us, was come as far as the Isle of Wight, when this contrary wind turned upon them. They tried what they could to pursue us; but they were so shattered by some days of this storm, that they were forced to go into Portsmouth, and were no more fit for service that year. This was a greater happiness than we were then aware of: for the lord Dartmouth assured me some time after, that whatever stories we had heard and believed, either of officers or seamen, he was confident they would all have fought very heartily. But now, by the immediate hand of Heaven, we were masters of the sea without a blow. I never found a disposition to superstition in my temper: I was rather inclined to be philosophical upon all occasions. Yet I must confess that this strange ordering of the winds and seasons, just to change as our affairs required it, could not but make deep impressions on me, as well as on all that observed it. Those famous verses of Claudian seemed to be more applicable to the prince, than to him they were made on:

O nimium dilecta Deo, cui militat æther,  
Et conjurati veniunt ad classica venti!

Heaven's favourite, for whom the skies do fight,  
And all the winds conspire to guide thee right!

The prince made haste to Exeter, where he stayed ten days, both for refreshing his troops and for giving the country time to show their affections. Both the clergy and magistrates of Exeter were very fearful and very backward. The bishop and the dean ran away. And the clergy stood off, though they were sent for and very gently spoken to by the prince. The truth was, the doctrines of passive obedience and non-resistance had been carried so far, and preached so much, that clergymen either could not all on the sudden get out of that entanglement, into which they had by long thinking and speaking all one way involved themselves, or they were ashamed to make so quick a turn. Yet care was taken to protect them and their houses everywhere: so that no sort of violence nor rudeness was offered to any of them. The prince gave me full authority to do this: and I took so particular a care of it, that we heard of no complaints. The army was kept under such an exact discipline, that everything was paid for where it was demanded; though the soldiers were contented with such moderate entertainment that the people generally asked but little for what they did eat. We stayed a week at Exeter before any of the gentlemen of the country about came in to the prince. Every day some persons of condition came from other parts. The

first were the lord Colchester, the eldest son of the earl of Rivers, and the lord Wharton, Mr. Russel, the lord Russel's brother, and the earl of Abington.

The king came down to Salisbury, and sent his troops twenty miles further. Of these, three regiments of horse and dragoons were drawn on by their officers, the lord Cornbury and colonel Langston, on design to come over to the prince. Advice was sent to the prince of this. But because these officers were not sure of their subalterns, the prince ordered a body of his men to advance and assist them in case any resistance was made. They were within twenty miles of Exeter, and within two miles of the body that the prince had sent to join them, when a whisper ran about among them that they were betrayed. Lord Cornbury had not the presence of mind that so critical a thing required\*. So they fell in confusion, and many rode back. Yet one regiment came over in a body, and with them about a hundred of the other two. This gave us great courage, and showed us that we had not been deceived in what was told us of the inclinations of the king's army. Yet, on the other hand, those who studied to support the king's spirits by flatteries told him that in this he saw he might trust his army, since those who intended to carry over those regiments were forced to manage it with so much artifice, and durst not discover their design either to officers or soldiers; and that, as soon as they perceived it, the greater part of them had turned back. The king wanted support, for his spirits sunk extremely. His blood was in such fermentation, that he was bleeding much at the nose, which returned often upon him every day†. He sent many spies over to us. They all took his money, and came and joined themselves to the prince, none of them returning to him. So that he had no intelligence brought him of what the prince was doing but what common reports furnished, which magnified our numbers, and made him think we were coming near him, while we were still at Exeter. He heard that the city of London was very unquiet. News was brought him that the earls of Devonshire and Danby, and the lord Lumley, were drawing great bodies together, and that both York and Newcastle had declared for the prince. The lord Delamere had raised a regiment in Cheshire. And the body of the nation did everywhere discover their inclinations for the prince so evidently, that the king saw he had nothing to trust to but his army. And the ill disposition among them was so apparent, that he reckoned he could not depend on them. So that he lost both heart and head at once. But that which gave him the last and most confounding stroke was, that the lord Churchill and the duke of Grafton left him, and came and joined the prince at Axminster, twenty miles on that side of Exeter. After this he could not know on whom he could depend. The duke of Grafton was one of king Charles's sons, by the duchess of Cleveland. He had been some time at sea, and was a gallant but rough man. He had more spirit than any one of the king's sons. He made an answer to the king about this time that was much talked of. The king took notice of somewhat in his behaviour that looked factious; and he said he was sure he could not pretend to act upon principles of conscience; for he had been so ill bred that as he knew little of religion so he regarded it less. But he answered the king, that though he had little conscience, yet he was of a party that had a great deal. Soon after that, prince George, the duke of Ormond, and the lord Drumlanrig, the duke of Queensberry's eldest son, left him, and came over to the prince, and joined him, when he was come as far as the earl of Bristol's house, at Sherburn. When the news came to London, the princess was so struck with the apprehensions of the king's displeasure, and of the ill effects that it might have, that she said to the lady Churchill that she could not bear the thoughts of it, and would leap out at window rather than venture on it. The bishop of London was then lodged very secretly in Suffolk Street. So the lady Churchill, who knew where he was, went to him, and concerted with him the method of the princess's withdrawing from the court. The princess went sooner to bed than ordinary. And about midnight she went down a back-stairs from her closet, attended only by the lady Churchill, in such haste that they carried nothing with them.

\* This was the eldest son of the earl of Clarendon. His father's sorrow at this defection is touchingly expressed in his "Diary." He immediately had an audience of James the Second, who received him kindly.—Clarendon Correspondence.

† This is mentioned in the Clarendon Correspondence, ii. 206. He was relieved by the lancet four times the same week.—Sir Patrick Hume's Diary; Rose's Observations in Fox's History of James the Second.

They were waited for by the bishop of London, who carried them to the earl of Dorset's, whose lady furnished them with everything. And so they went northward, as far as Northampton, where that earl attended on them with all respect, and quickly brought a body of horse to serve for a guard to the princess. And in a little while a small army was formed about her, who chose to be commanded by the bishop of London: of which he too easily accepted\*.

These things put the king in an inexpressible confusion. He saw himself now forsaken, not only by those whom he had trusted and favoured most, but even by his own children. And the army was in such distraction that there was not any one body that seemed entirely united and firm to him. A foolish ballad was made at that time, treating the papists, and chiefly the Irish, in a very ridiculous manner, which had a burden said to be Irish words, "lero lero lilibulero," that made an impression on the army that cannot be well imagined by those who saw it not. The whole army, and at last all people both in city and country, were singing it perpetually. And perhaps never had so slight a thing so great an effect.

While the prince stayed at Exeter, the rabble of the people came in to him in great numbers. So that he could have raised many regiments of foot if there had been any occasion for them. But what he understood of the temper the king's army was in, made him judge it was not necessary to arm greater numbers. After he had stayed eight days at Exeter, Seymour came in with several other gentlemen of quality and estate. As soon as he had been with the prince, he sent to seek for me. When I came to him, he asked me why we had not an association signed by all that came to us, since, till we had that done, we were as a rope of sand: men might leave us when they pleased, and we had them under no tie: whereas, if they signed an association, they would reckon themselves bound to stick to us. I answered, it was because we had not a man of his authority and credit to offer and support such an advice. I went from him to the prince, who approved of the motion; as did also the earl of Shrewsbury, and all that were with us. So I was ordered to draw it. It was, in few words, an engagement to stick together in pursuing the ends of the prince's declaration; and that, if any attempt should be made on his person, it should be revenged on all by whom, or from whom, any such attempt should be made. This was agreed to by all about the prince. So it was engrossed in parchment, and signed by all those that came in to him. The prince put Devonshire and Exeter under Seymour's government, who was recorder of Exeter. And he advanced with his army, leaving a small garrison there with his heavy artillery under colonel Gibson, whom he made deputy-governor as to the military part.

At Crookhorn, Dr. Finch, son of the earl of Winchelsea, and warden of All-Souls college in Oxford, was sent to the prince from some of the heads of colleges, assuring him that they would declare for him, and inviting him to come thither, telling him that their plate should be at his service, if he needed it. This was a sudden turn from those principles that they

\* The princess Anne left the Cockpit, where she then lodged, on the night of November the 25th. The earl of Clarendon says that he heard the rumour next morning, and the report was that some one had carried her away, nobody knew whither. The duchess of Marlborough (then lady Churchill) managed the escape for her; and the narrative she has given coincides closely with that given by Burnet. After stating the preliminary arrangements she made with the bishop of London, she adds, "The princess went to bed at the usual time, to prevent suspicion. I came to her soon after, and, by the back stairs which went down from her closet, her royal highness, lady Fitzharding, and I, with one servant, walked to the coach, where we found the bishop and the earl of Dorset. They conducted us that night to the bishop's house in the City, and the next day to my lord Dorset's, at Copt Hall. From thence we went to the earl of Northampton's, and from thence to Nottingham, where the country gathered round the princess; nor did she think herself safe till she saw that she was surrounded by the prince of Orange's friends."—(Account of the Duchess

of Marlborough; Clarendon Correspondence; Colley Cibber's Apology for his Life; Dalrymple's Memoirs.) Prince George, the duke of Ormond, lord Drumlanrig, and Mr. H. Boyle, had deserted James at Andover, on the 24th. They had supped with the king the same evening, and left his quarters as soon as he had retired to bed. Prince George left a letter for James (see this in Kennet's Hist. of England), excusing himself, and blaming this unhappy monarch. When the prince heard of any one's defection from the king, he had been accustomed to exclaim, "*Est-il possible?*" The only remark James made upon the prince's desertion was, "*Is Est-il possible* gone too?" In king James's "Memoirs" it is said, "he was more troubled at the unnaturalness of the action than the want of his service; for the loss of a good trooper would have been of more consequence." But on the monarch's return to London, and finding his daughter had also fled, he burst into tears, emphatically saying, "God help me! my own children have forsaken me."—Clarendon Correspondence, ii. 208.

had carried so high a few years before. The prince had designed to have secured Bristol and Gloucester, and so to have gone to Oxford, the whole west being then in his hands, if there had been any appearance of a stand to be made against him by the king and his army; for, the king being so much superior to him in horse, it was not advisable to march through the great plains of Dorsetshire and Wiltshire. But the king's precipitate return to London put an end to this precaution. The earl of Bath had prevailed with the garrison of Plymouth, and they declared for the prince. So now all behind him was safe. When he came to Sherburn, all Dorsetshire came in a body and joined him. He resolved to make all the haste he could to London, where things were in a high fermentation.

A bold man ventured to draw and publish another declaration in the prince's name. It was penned with great spirit: and it had as great an effect. It set forth the desperate designs of the papists, and the extreme danger the nation was in by their means, and required all persons immediately to fall on such papists as were in any employments, and to turn them out, and to secure all strong places, and to do everything else that was in their power in order to execute the laws, and to bring all things again into their proper channels. This set all men at work: for no doubt was made that it was truly the prince's declaration. But he knew nothing of it. And it was never known who was the author of so bold a thing. No person ever claimed the merit of it: for though it had an amazing effect, yet, it seems, he that contrived it apprehended that the prince would not be well pleased with the author of such an imposture in his name. The king was under such a consternation, that he neither knew what to resolve on, nor whom to trust. This pretended declaration put the City in such a flame, that it was carried to the lord mayor, and he was required to execute it. The apprentices got together, and were falling upon all mass-houses, and committing many irregular things. Yet their fury was so well governed, and so little resisted, that no other mischief was done; no blood was shed.

The king now sent for all the lords in town, that were known to be firm protestants. And, upon speaking to some of them in private, they advised him to call a general meeting of all the privy councillors and peers, to ask their advice what was fit to be done. All agreed in one opinion that it was fit to send commissioners to the prince to treat with him. This went much against the king's own inclinations: yet the dejection he was in, and the desperate state of his affairs, forced him to consent to it. So the marquis of Halifax, the earl of Nottingham, and the lord Godolphin, were ordered to go to the prince, and to ask him what it was that he demanded. The earl of Clarendon reflected the most, on the king's former conduct, of any in that assembly, not without some indecent and insolent words, which were generally condemned. He expected, as was said, to be one of the commissioners, and upon his not being named he came and met the prince near Salisbury. Yet he suggested so many peevish and peculiar things when he came, that some suspected all this was but collusion, and that he was sent to raise a faction among those that were about the prince. The lords sent to the prince to know where they should wait on him, and he named Hungerford. When they came thither and had delivered their message, the prince called all the peers and others of chief note about him, and advised with them what answers should be made. A day was taken to consider of an answer. The marquis of Halifax sent for me. But the

\* At this meeting (November 27th), the lord chancellor Jeffreys, Godolphin, Falconberg, &c. recommended the calling a parliament. Lord Clarendon, in his "Diary," says, "I spake with great freedom, laying open most of the late miscarriages, and particularly the raising a regiment of Roman catholics at this very time under the command of the earl of Stafford, to be a guard to the king's person; into which all the French tradesmen in town of that religion were received, and none were to be admitted but papists. I pressed this so earnestly, that the king called out and said it was not true; there were no directions for admitting none but papists; but I went on, saying I had been so informed, &c. My motion was for a parliament, and sending commissioners to treat with the prince of Orange." Lords Halifax and Nottingham supported these propositions, but more mildly. In conclu-

sion, the king said, "My lords, I have heard you all: you have spoken with great freedom, and I do not take it ill of any of you. I may tell you I will call a parliament; but for the other things you propose, they are of great importance, and you will not wonder that I take one night's time to consider of them." Lord Godolphin prevented any of the popish peers being present at this council. The king complained much of the defection of his army, yet thought many would adhere to him. He said he considered the bleeding at his nose a great providence; for, if it had not occurred on the day he intended to review the troops at Westminster, he believed, on good reasons, that lord Churchill had intended to deliver him up to the prince of Orange. This is supported by many statements in Macpherson's "Original Papers," i. 280.—Clarendon Correspondence.

prince said, though he would suspect nothing from our meeting, others might. So I did not speak with him in private, but in the hearing of others. Yet he took occasion to ask me, so as nobody observed it, "If we had a mind to have the king in our hands?" I said, "By no means; for we would not hurt his person." He asked next, "What if he had a mind to go away?" I said, "Nothing was so much to be wished for." This I told the prince. And he approved of both my answers. The prince ordered the earls of Oxford, Shrewsbury, and Clarendon, to treat with the lords the king had sent. And they delivered the prince's answer to them on Sunday the eighth of December\*.

He desired a parliament might be presently called, that no men should continue in any employment who were not qualified by law, and had not taken the tests; that the Tower of London might be put in the keeping of the City; that the fleet, and all the strong places of the kingdom, might be put in the hands of protestants; that a proportion of the revenue might be set off for the pay of the prince's army; and that during the sitting of the parliament, the armies of both sides might not come within twenty miles of London; but, that the prince might come on to London, and have the same number of his guards about him that the king kept about his person. The lords seemed to be very well satisfied with this answer. They sent it up by an express, and went back next day to London.

But now strange counsels were suggested to the king and queen. The priests, and all the violent papists, saw a treaty was now opened. They knew that they must be the sacrifice. The whole design of popery must be given up, without any hope of being able in an age to think of bringing it on again. Severe laws would be made against them. And all those who intended to stick to the king, and to preserve him, would go into those laws with a particular zeal: so that they, and their hopes, must be now given up and sacrificed for ever. They infused all this into the queen. They said she would certainly be impeached, and witnesses would be set up against her and her son: the king's mother had been impeached in the long parliament: and she was to look for nothing but violence. So the queen took up a sudden resolution of going to France with the child. The midwife, together with all who were assisting at the birth, were also carried over, or so disposed of, that it could never be learned what became of them afterwards. The queen prevailed with the king, not only to consent to this, but to promise to go quickly after her. He was only to stay a day or two after her, in hope that the shadow of authority that was still left in him might keep things so quiet, that she might have an undisturbed passage. So she went to Portsmouth. And from thence, in a man of war, she went over to France: the king resolving to follow her in disguise. Care was also taken to send all the priests away. The king stayed long enough to get the prince's answer†. And when he had read it, he said he did not expect so good terms. He ordered the lord chancellor to come to him next morning. But he had called secretly for the great seal. And the next morning, being the tenth of December, about three in the morning, he went away in disguise with sir Edward Hales, whose servant he seemed to be. They passed the river, and flung the great seal into it; which was some months after found by a fisherman, near Fox Hall‡. The king went down to a miserable fisher-boat that Hales had provided for carrying them over to France.

Thus a great king, who had a good army and a strong fleet, did choose rather to abandon

\* The time of this nobleman's going over to the prince of Orange, his interview with the latter, &c. are very interestingly told by him in his "Diary."—Clarendon Correspondence.

† The despatches of the French ambassador, M. Barillon, confirm the statements made by Burnet. He says, that James only consented to send commissioners to the prince, because, by so doing, time would be gained to enable the queen and himself to prepare for their flight.—Mazure's Histoire de la Révolution.

‡ Whether the great seal was found as stated by Burnet, seems very doubtful. Barillon says, that father Peters, who left a day or two before the king, had taken precautions to have the great seal at his command, that he might take it with him. Barillon's words are—"Son

intention en cela est d'avoir auprès de lui le grand sceau, pour l'emporter au besoin. Par les loix d'Angleterre on ne peut rien faire sans le grand sceau; et avec le grand sceau, le roi peut empêcher beaucoup de choses que ses ennemis voudraient faire. On croit par ce moyen jeter du trouble et de la division dans le gouvernement qu'il faudra établir."—(Mazure's Hist. de la Révolution, iii. 220.) At all events the chancellor, Jeffreys, did not throw it into the river; for James, in conversation with Barillon, said, "The meeting of a parliament cannot be authorised without writs under the great seal, and they have been issued for fifteen counties only; the others are burned; the great seal is missing; the chancellor had placed it in my hands eight days before I went away. They cannot make another without me."—Ibid.

all, than either to expose himself to any danger with that part of the army that was still firm to him, or to stay and see the issue of a parliament. Some attributed this mean and unaccountable resolution to a want of courage. Others thought it was the effect of an ill conscience, and of some black thing under which he could not now support himself. And they who censured it the most moderately, said that it showed that his priests had more regard to themselves than to him ; and that he considered their interest more than his own ; and that he chose rather to wander abroad with them, and to try what he could do by a French force to subdue his people, than to stay at home, and be shut up within the bounds of law, and be brought under an incapacity of doing more mischief ; which they saw was necessary to quiet those fears and jealousies, for which his bad government had given so much occasion. It seemed very unaccountable, since he was resolved to go, that he did not choose rather to go in one of his yachts, or frigates, than to expose himself in so dangerous and ignominious a manner. It was not possible to put a good construction on any part of the dishonourable scene which he then acted.

With this his reign ended : for this was a plain deserting his people, and the exposing the nation to the pillage of an army, which he had ordered the earl of Feversham to disband. And the doing this without paying them, was the letting so many armed men loose upon the nation : who might have done much mischief, if the execution of those orders that he left behind him had not been stopped. I shall continue the recital of all that passed in this interregnum, till the throne, which he now left empty, was filled.

He was not gone far, when some fishermen of Feversham, who were watching for such priests, and other delinquents, as they fancied were making their escape, came up to him. And they, knowing sir Edward Hales, took both the king and him, and brought them to Feversham. The king told them who he was. And that flying about brought a vast crowd together, to look on that astonishing instance of the uncertainty of all worldly greatness ; when he who had ruled three kingdoms, and might have been the arbiter of all Europe, was now in such mean hands, and so low an equipage. The people of the town were extremely disordered with this unlooked-for accident ; and, though for a while they kept him as a prisoner, yet they quickly changed that into as much respect as they could possibly pay him. Here was an accident that seemed of no great consequence ; yet all the strugglings which that party have made ever since that time to this day, which from him were called afterwards the Jacobites, did rise out of this : for, if he had got clear away, by all that could be judged, he would not have had a party left : all would have agreed, that here was a desertion, and that therefore the nation was free, and at liberty to secure itself. But what followed upon this gave them a colour to say, that he was forced away, and driven out. Till now, he scarce had a party, but among the papists : but from this incident a party grew up, that has been long very active for his interests. As soon as it was known at London that the king was gone, the apprentices and the rabble, who had been a little quieted when they saw a treaty on foot between the king and the prince, now broke out again upon all suspected houses, where they believed there were either priests, or papists. They made great havoc of many places, not sparing the houses of ambassadors : but none were killed, no houses burnt, nor were any robberies committed. Never was so much fury seen under so much management. Jeffreys, finding the king was gone, saw what reason he had to look to himself ; and, apprehending that he was now exposed to the rage of the people, whom he had provoked with so particular a brutality, he had disguised himself to make his escape. But he fell into the hands of some who knew him. He was insulted by them with as much scorn, and rudeness as they could invent. And, after many hours' tossing him about, he was carried to the lord mayor, whom they charged to commit him to the Tower, which the lord Lucas had then seized, and in it had declared for the prince. The lord mayor was so struck with the terror of this rude populace, and with the disgrace of a man who had made all people tremble before him, that he fell into fits upon it, of which he died soon after.

To prevent the further growth of such disorders, he called a meeting of the privy councillors and peers, who met at Guildhall. The archbishop of Canterbury was there. They gave a strict charge for keeping the peace, and agreed to send an invitation to the prince, desiring him to come and take the government of the nation into his hands, till a parliament should

meet to bring all matters to a just and full settlement. This they all signed, and sent it to the prince by the earl of Pembroke, the viscount Weymouth, the bishop of Ely, and the lord Culpepper. The prince went on from Hungerford to Newbury, and from thence to Abing-ton, resolving to have gone to Oxford to receive the compliments of the University, and to meet the princess Anne who was coming thither. At Abing-ton he was surprised with the news of the strange catastrophe of affairs now at London, the king's desertion, and the disorders which the city and neighbourhood of London were falling into. One came from London, and brought him the news, which he knew not well how to believe, till he had an express sent him from the lords, who had been with him from the king. Upon this the prince saw how necessary it was to make all possible haste to London. So he sent to Oxford, to excuse his not coming thither, and to offer the association to them, which was signed by almost all the heads, and the chief men of the university ; even by those, who, being disappointed in the preferments they aspired to, became afterwards his most implacable enemies.

Hitherto the expedition had been prosperous, beyond all that could have been expected. There had been but two small engagements, during this unseasonable campaign ; one was at Winkington, in Dorsetshire, where an advanced party of the prince's met one of the king's that was thrice their number : yet they drove them before them into a much greater body, where they were overpowered with numbers. Some were killed on both sides ; but there were more prisoners taken of the prince's men : yet, though the loss was of his side, the courage that his men shewed in so great an inequality as to number, made us reckon that we gained more than we lost on that occasion. Another action happened at Reading, where the king had a considerable body, who, as some of the prince's men advanced, fell into a great disorder, and ran away. One of the prince's officers was shot : he was a papist ; and the prince in consideration of his religion was willing to leave him behind him in Holland ; but he very earnestly begged he might come over with his company ; and he was the only officer that was killed in the whole expedition.

Upon the news of the king's desertion, it was proposed that the prince should go on with all possible haste to London ; but that was not advisable : for the king's army lay so scattered through the road all the way to London, that it was not fit for him to advance faster, than as his troops marched before him ; otherwise, any resolute officer might have seized or killed him. Though, if it had not been for that danger, a great deal of mischief, that followed, would have been prevented by his speedy advance : for now began that turn, to which all the difficulties, that did afterwards disorder our affairs, may be justly imputed. Two gentlemen of Kent came to Windsor the morning after the prince came thither ; they were addressed to me. And they told me of the accident at Feversham, and desired to know the prince's pleasure upon it. I was affected with this dismal reverse of the fortune of a great prince, more than I think fit to express. I went immediately to Bentinck, and wakened him, and got him to go in to the prince, and let him know what had happened, that some order might be presently given for the security of the king's person, and for taking him out of the hands of a rude multitude, who said they would obey no orders but such as came from the prince. The prince ordered Zuylestein to go immediately to Feversham, and to see the king safe, and at full liberty to go whithersoever he pleased. But, as soon as the news of the king's being at Feversham came to London, all the indignation that people had formerly conceived against him, was turned to pity and compassion. The privy council met upon it. Some moved, that he should be sent for ; others said, he was king, and might send for his guards and coaches, as he pleased ; but it became not them to send for him. It was left to his general, the earl of Feversham, to do what he thought best. So he went for him with his coaches and guards. And, as he came back through the city, he was welcomed with expressions of joy by great numbers : so slight and unstable a thing is a multitude, and so soon altered. At his coming to Whitehall, he had a great court about him\*. Even the papists crept out of their lurking holes, and appeared at court with much

\* This is all more fully stated, and confirmed by lord Clarendon in his "Diary." James returned to Whitehall on the 16th of December.—Clarendon Correspondence.

assurance. The king himself began to take heart; and both at Feversham, and now at Whitehall, he talked in his ordinary high strain, justifying all he had done; only he spoke a little doubtfully of the business of Magdalen college. But when he came to reflect on the state of his affairs, he saw it was so broken, that nothing was now left to deliberate upon. So he sent the earl of Feversham to Windsor, without demanding any passport; and ordered him to desire the prince to come to St. James's, to consult with him of the best way for settling the nation.

When the news of what had passed at London came to Windsor, the prince thought the privy council had not used him well, who, after they had sent to him to take the government upon him, had made this step without consulting him. Now the scene was altered, and new counsels were to be taken. The prince heard the opinions, not only of those who had come along with him, but of such of the nobility as were now come to him, among whom the marquis of Halifax was one. All agreed that it was not convenient that the king should stay at Whitehall. Neither the king, nor the prince, nor the city, could have been safe, if they had been both near one another. Tumults would probably have arisen out of it. The guards, and the officious flatterers of the two courts, would have been unquiet neighbours. It was thought necessary to stick to the point of the king's deserting his people, and not to give up that, by entering upon any treaty with him. And since the earl of Feversham, who had commanded the army against the prince, was come without a passport, he was for some days put in arrest.

It was a tender point how to dispose of the king's person \*. Some proposed rougher methods: the keeping him a prisoner, at least till the nation was settled, and till Ireland was secured. It was thought, his being kept in custody, would be such a tie on all his party, as would oblige them to submit, and be quiet. Ireland was in great danger; and his restraint might oblige the earl of Tyrconnell to deliver up the government, and to disarm the papists, which would preserve that kingdom, and the protestants in it. But, because it might raise too much compassion, and perhaps some disorder, if the king should be kept in restraint within the kingdom, therefore the sending him to Breda was proposed. The earl of Clarendon pressed this vehemently, on the account of the Irish protestants, as the king himself told me: for those that gave their opinions in this matter did it secretly, and in confidence to the prince. The prince said, he could not deny but that this might be good and wise advice; but it was that to which he could not hearken: he was so far satisfied with the grounds of this expedition, that he could act against the king in a fair and open war; but for his person, now that he had him in his power, he could not put such a hardship on him, as to make him a prisoner; and he knew the princess's temper so well, that he was sure she would never bear it: nor did he know what disputes it might raise, or what effect it might have upon the parliament that was to be called. He was firmly resolved never to suffer any thing to be done against his person: he saw it was necessary to send him out of London; and he would order a guard to attend upon him, who should only defend and protect his person, but not restrain him in any sort.

A resolution was taken of sending the lords Halifax, Shrewsbury, and Delamere, to London, who were first to order the English guards that were about the court to be drawn off, and sent to quarters out of town; and, when that was done, the count of Solms with the Dutch guards was to come and take all the posts about the court. This was obeyed without any resistance, or disorder, but not without much murmuring. It was midnight before all was settled; and then these lords sent to the earl of Middleton, to desire him to let the king know, that they had a message to deliver to him from the prince. He went in to the king, and sent them word from him, that they might come with it immediately. They came, and found him a-bed. They told him, the necessity of affairs required, that the prince should come presently to London; and he thought it would conduce to the safety of the king's person, and the quiet of the town, that he should retire to some house out of town: and they proposed Ham. The king seemed much dejected, and asked, if it must be done immediately.

\* Barillon, in one of his letters, relates a conversation with the king, shewing that he was perfectly aware how much his stay in England would embarrass his enemies.

From this and a statement in sir John Reresby's "Memoirs," it seems rational to conclude that representations were afterwards made which frightened him into flight.

They told him, he might take his rest first ; and they added, that he should be attended by a guard, who should only guard his person, but should give him no sort of disturbance. Having said this, they withdrew. The earl of Middleton came quickly after them, and asked them, if it would not do as well, if the king should go to Rochester ; for since the prince was not pleased with his coming up from Kent, it might be perhaps acceptable to him, if he should go thither again. It was very visible, that this was proposed in order to a second escape.

They promised to send word immediately to the prince of Orange, who lay that night at Sion, within eight miles of London. He very readily consented to it. And the king went next day to Rochester, having ordered all that which is called the moving wardrobe to be sent before him, the count of Solms ordering every thing to be done, as the king desired. A guard went with him that left him at full liberty, and paid him rather more respect than his own guards had done of late. Most of that body, as it happened, were papists. So when he went to mass, they went in, and assisted very reverently. And, when they were asked, how they could serve in an expedition that was intended to destroy their own religion, one of them answered, “ His soul was God’s, but his sword was the prince of Orange.” The king was so much delighted with this answer, that he repeated it to all that came about him \*. On the same day the prince came to St. James’s. It happened to be a very rainy day ; and yet great numbers came to see him. But, after they had stood long in the wet, he disappointed them ; for, he who neither loved shews nor shoutings, went through the park. And even this trifle helped to set people’s spirits on the fret.

The revolution was thus brought about, with the universal applause of the whole nation ; only these last steps began to raise a fermentation. It was said, here was an unnatural thing, to waken the king out of his sleep, in his own palace, and to order him to go out of it, when he was ready to submit to every thing. Some said, he was now a prisoner, and remembered the saying of king Charles the First, that the prisons and the graves of princes lay not far distant from one another : the person of the king was now struck at, as well as his government ; and this specious undertaking would now appear to be only a disguised, and designed, usurpation. These things began to work on great numbers. And the posting the Dutch guards, where the English guards had been, gave a general disgust to the whole English army. They indeed hated the Dutch besides, on the account of the good order and strict discipline they were kept under ; which made them to be as much beloved by the nation, as they were hated by the soldiery. The nation had never known such an inoffensive march of an army ; and the peace and order of the suburbs, and the freedom of markets in and about London, was so carefully maintained, that in no time fewer disorders had been committed than were heard of this winter.

None of the papists or jacobites were insulted in any sort. The prince had ordered me, as we came along, to take care of the papists, and to secure them from all violence. When he came to London, he renewed these orders, which I executed with so much zeal and care, that I saw all the complaints that were brought me fully redressed. When we came to London I procured passports for all that desired to go beyond sea. Two of the popish bishops were put in Newgate. I went thither in the prince’s name. I told them, the prince would not take upon him yet to give orders about prisoners ; as soon as he did that, they should feel the effects of it. But in the mean while I ordered them to be well used, and to be taken care of, and that their friends might be admitted to come to them. So truly did I pursue the principle of moderation, even towards those from whom nothing of that sort was to be expected †.

\* Lord Clarendon, in his “ Diary ” at the date December 18, says, “ I was told the three lords came to Whitehall last night after the king was in bed. The English guards being first removed, and the Dutch in possession of their posts, the lords were quickly admitted to the king ; and when they had delivered their message, the king told them, he had rather return to Rochester than to Ham ; whereupon the lords went back to Sion, and brought the king word by nine this morning, that his majesty might go to Rochester if he pleased ; and about eleven the king took a barge and went down the river ; Dutch guards being

appointed to attend him. Higgons says, “ the very moment ” the king left Whitehall, his daughter entered it : this is a misrepresentation ; lord Clarendon says they did not come to London until the next day.

† The French ambassador, Barillon, was zealously active in promoting disunion among the English peers ; but William put an end to his activity by having him out of England in twenty-four hours. He asked in vain for a delay, and was sent at the appointed time to Dover under a Dutch escort.—Echard’s History of the Revolution, 218.

Now that the prince was come, all the bodies about the town came to welcome him. The bishops came the next day: only the archbishop of Canterbury, though he had once agreed to it, yet would not come. The clergy of London came next. The city, and a great many other bodies, came likewise, and expressed a great deal of joy for the deliverance wrought for them by the prince's means. Old serjeant Maynard came with the men of the law. He was then near ninety, and yet he said the liveliest thing that was heard of on that occasion. The prince took notice of his great age, and said, that he believed he had outlived all the men of the law of his time: he answered, "he should have out-lived the law itself, if his highness had not come over."

The first thing to be done after the compliments were over, was to consider how the nation was to be settled. The lawyers were generally of opinion, that the prince ought to declare himself king, as Henry the Seventh had done. This, they said, would put an end to all disputes, which might otherwise grow very perplexing and tedious: and, they said, he might call a parliament which would be a legal assembly, if summoned by the king in fact, though his title was not yet recognized. This was plainly contrary to his declaration, by which the settlement of the nation was referred to a parliament; such a step would make all that the prince had hitherto done, pass for an aspiring ambition, only to raise himself; and it would disgust those who had been hitherto the best affected to his designs; and make them less concerned in the quarrel, if, instead of staying till the nation should offer him the crown, he would assume it as a conquest. These reasons determined the prince against that proposition. He called all the peers, and the members of the three last parliaments, that were in town, together with some of the citizens of London. When these met, it was told them, that, in the present distraction, the prince desired their advice about the best methods of settling the nation. It was agreed in both these houses, such as they were, to make an address to the prince, desiring him to take the administration of the government into his hands in the interim. The next proposition passed not so unanimously; for, it being moved, that the prince should be likewise desired to write missive letters to the same effect, and for the same persons to whom writs were issued out for calling a parliament, that so there might be an assembly of men in the form of a parliament, though without writs under the great seal, such as that was that had called home king Charles the Second: the earl of Nottingham objected to this, that such a convention of the States could be no legal assembly, unless summoned by the king's writ. Therefore he moved, that an address might be made to the king, to order the writs to be issued out. Few were of his mind. The matter was carried the other way; and orders were given for those letters to be sent round the nation.

The king continued a week at Rochester. And both he himself, and every body else, saw that he was at full liberty, and that the guard about him put him under no sort of restraint. Many that were zealous for his interests went to him, and pressed him to stay, and to see the issue of things: a party would appear for him; good terms would be got for him; and things would be brought to a reasonable agreement. He was much distracted between his own inclinations, and the importunities of his friends. The queen, hearing what had happened, wrote a most vehement letter to him, pressing his coming over, remembering him of his promise, which she charged on him in a very earnest, if not in an imperious strain. This letter was intercepted. I had an account of it from one that read it. The prince ordered it to be conveyed to the king; and that determined him. So he gave secret orders to prepare a vessel for him; and drew a paper, which he left on his table\*, reproaching the nation for their forsaking him. He declared, that though he was going to seek for foreign aid, to restore him to his throne, yet he would not make use of it to overthrow either the religion established, or the laws of the land. And so he left Rochester very secretly, on the last day of this memorable year, and got safe over to France.

But, before I enter into the next year, I will give some account of the affairs of Scotland. There was no force left there, but a very small one, scarcely able to defend the castle of Edinburgh, of which the duke of Gordon was governor. He was a papist; but had neither the spirit, nor the courage, which such a post required at that time. As soon as the news came

\* Directed to lord Middleton. He went away without informing some of his best friends.—Clarendon Correspondence, ii. 234.

to Scotland of the king's desertion, the rabble got together there, as they had done in London. They broke into all popish chapels, and into the church of Holy Rood House, which had been adorned at a great charge to be a royal chapel, particularly for the order of St. Andrew and the Thistle, which the king had resolved to set up in Scotland in imitation of the order of the garter in England. They defaced it quite, and seized on some that were thought great delinquents, in particular on the earl of Perth, who had disguised himself, and had got aboard a small vessel: but he was seized on, and put in prison. The whole kingdom, except only the castle of Edinburgh, declared for the prince, and received his declaration for that kingdom with great joy. This was done in the north very unanimously, by the episcopal, as well as by the presbyterian party. But in the western counties, the presbyterians, who had suffered much in a course of many years, thought that the time was now come, not only to procure themselves ease and liberty, but to revenge themselves upon others. They generally broke in upon the episcopal clergy with great insolence and much cruelty. They carried them about the parishes in a mock procession: they tore their gowns, and drove them from their churches and houses. Nor did they treat those of them, who had appeared very zealously against popery, with any distinction. The bishops of that kingdom had written a very indecent letter to the king, upon the news of the prince's being blown back by the storm, full of injurious expressions towards the prince, expressing their abhorrence of his design: and, in conclusion, they wished that the king might have the necks of his enemies. This was sent up as a pattern to the English bishops, and was printed in the Gazette. But they did not think fit to copy after it in England. The episcopal party in Scotland saw themselves under a great cloud; so they resolved all to adhere to the earl of Dundee, who had served some years in Holland, and was both an able officer, and a man of good parts, and of some very valuable virtues; but, as he was proud and ambitious, so he had taken up a most violent hatred of the whole presbyterian party, and had executed all the severest orders against them with great rigour; even to the shooting many on the highway, that refused the oath required of them. The presbyterians looked on him as their most implacable enemy; and the episcopal party trusted most entirely to him. Upon the prince's coming to London, the duke of Hamilton called a meeting of all the men of quality of the Scotch nation then in town; and these made an address to the prince with relation to Scotland, almost in the same terms in which the English address was conceived. And now the administration of the government of the whole isle of Britain was put in the prince's hands.

The prospect from Ireland was more dreadful. Tyrconnell gave out new commissions for levying thirty thousand men. And reports were spread about that island, that a general massacre of the protestants was fixed to be in November. Upon which the protestants began to run together for their common defence, both in Munster and in Ulster. They had no great strength in Munster. They had been disarmed, and had no store of ammunition for the few arms that were left them. So they despaired of being able to defend themselves, and came over to England in great numbers, and full of dismal apprehensions for those they had left behind them. They moved earnestly, that a speedy assistance might be sent to them. In Ulster the protestants had more strength; but they wanted a head. The lords of Grenard and Mountjoy, who were the chief military men among them, in whom they confided most, kept still such measures with Tyrconnell, that they would not take the conduct of them. Two towns, that had both very little defence about them, and a very small store of provisions within them, were by the rashness, or boldness, of some brave young men secured: so that they refused to receive a popish garrison, or to submit to Tyrconnell's orders. These were London-Derry, and Inniskilling. Both of them were advantageously situated. Tyrconnell sent troops into the north to reduce the country. Upon which great numbers fled into those places, and brought in provisions to them. And so they resolved to defend themselves, with a firmness of courage that cannot be enough admired; for when they were abandoned, both by the gentry and the military men, those two small unfurnished and unfortified places, resolved to stand to their own defence, and at all perils to stay till supplies should come to them from England. I will not enlarge more upon the affairs of that kingdom; both because I had no occasion to be well informed of them, and because Dr. King, now archbishop of Dublin, wrote a copious history of the government of Ireland during this

reign, which is so well received, and so universally acknowledged to be as truly as it is finely written, that I refer my reader to the account of those matters, which is fully and faithfully given by that learned and zealous prelate \*.

And now I enter upon the year 1689: in which the two first things to be considered, before the convention could be brought together, were, the settling the English army, and the affairs of Ireland. As for the army, some of the bodies, those chiefly that were full of papists, and of men ill affected, were to be broken. And, in order to that, a loan was set on foot in the city, for raising the money that was to pay their arrears at their disbanding, and for carrying on the pay of the English and Dutch armies till the convention should meet, and settle the nation. This was the great distinction of those who were well affected to the prince: for, whereas those who were ill affected to him refused to join in the loan, pretending there was no certainty of their being repaid; the others did not doubt but the convention would pay all that was advanced in so great an exigence; and so they subscribed liberally, as the occasion required.

As for the affairs of Ireland, there was a great variety of opinions among them. Some thought that Ireland would certainly follow the fate of England. This was managed by an artifice of Tyrconnell's, who, what by deceiving, what by threatening the most eminent protestants in Dublin, got them to write over to London, and give assurances that he would deliver up Ireland, if he might have good terms for himself, and for the Irish. The earl of Clarendon was much depended on by the protestants of Ireland, who made all their applications to the prince by him. Those, who were employed by Tyrconnell to deceive the prince, made their applications by sir William Temple, who had a long and well-established credit with him. They said, Tyrconnell would never lay down the government of Ireland, unless he was sure that the earl of Clarendon was not to succeed: he knew his peevishness and spite, and that he would take severe revenges for what injuries he thought had been done to himself, if he had them in his power; and therefore he would not treat till he was assured of that. Upon this the prince did avoid the speaking to the earl of Clarendon of those matters. And then he, who had possessed himself in his expectation of that post, seeing the prince thus shut him out of the hopes of it, became a most violent opposer of the new settlement. He reconciled himself to king James; and has been, ever since, one of the hottest promoters of his interest of any in the nation. Temple entered into a management with Tyrconnell's agents, who, it is very probable, if things had not taken a great turn in England, would have come to a composition. Others thought that the leaving Ireland in that dangerous state, might be a mean to bring the convention to a more speedy settlement of England; and that therefore the prince ought not to make too much haste to relieve Ireland. This advice was generally believed to be given by the marquis of Halifax; and it was like him. The prince did not seem to apprehend enough the consequences of the revolt of Ireland; and was much blamed for his slowness in not preventing it in time.

The truth was, he did not know whom to trust. A general discontent, next to mutiny, began to spread itself through the whole English army. The turn that they were now making from him was almost as quick as that which they had made to him. He could not trust them. Probably, if he had sent any of them over, they would have joined with Tyrconnell. Nor could he well send over any of his Dutch troops. It was to them that he chiefly trusted for maintaining the quiet of England. Probably the English army would have become more insolent, if the Dutch force had been considerably diminished; and the king's magazines were so exhausted, that till new stores were provided, there was very little ammunition to spare. The raising new troops was a work of time. There was no ship of war in those seas, to secure the transport. And to send a small company of officers with some ammunition, which was all that could be done on the sudden, seemed to be an exposing them to the enemy. These considerations made him more easy to entertain a proposition that was made to him, as was believed, by the Temples; (for sir William had both a brother and a son that made then a considerable figure;) which was, to send over lieutenant-general Hamilton, one of the officers that belonged to Ireland. He was a papist, but was believed

\* This work is archbishop King's "State of the Protestants in Ireland under the late King James."

to be a man of honour; and he had certainly great credit with the earl of Tyrconnell. He had served in France with great reputation, and had a great interest in all the Irish, and was now in the prince's hands; and had been together with a body of Irish soldiers, whom the prince kept for some time as prisoners in the Isle of Wight; whom he gave afterwards to the emperor, though, as they passed through Germany, they deserted in great numbers, and got into France. Hamilton was a sort of prisoner of war. So he undertook to go over to Ireland, and to prevail with the earl of Tyrconnell to deliver up the government; and promised, that he would either bring him to it, or that he would come back, and give an account of his negociation. This step had a very ill effect; for before Hamilton came to Dublin, the earl of Tyrconnell was in such despair, looking on all as lost, that he seemed to be very near a full resolution of entering on a treaty, to get the best terms that he could. But Hamilton's coming changed him quite. He represented to him, that things were turning fast in England in favour of the king; so that, if he stood firm, all would come round again. He saw that he must study to manage this so dexterously, as to gain as much time as he could, that so the prince might not make too much haste before a fleet and supplies might come from France. So several letters were written over by the same management, giving assurances that the earl of Tyrconnell was fully resolved to treat and submit. And, to carry this further, two commissioners were sent from the council-board to France. The one was a zealous protestant, the other was a papist. Their instructions were, to represent to the king the necessity of Ireland's submitting to England. The earl of Tyrconnell pretended, that in honour he could do no less than disengage himself to his master before he laid down the government. Yet he seemed resolved not to stay for an answer, or a consent; but that as soon as this message was delivered, he would submit upon good conditions: and for these, he knew, he would have all that he asked. With this management he gained his point, which was much time. And he now fancied, that the honour of restoring the king would belong chiefly to himself. Thus Hamilton, by breaking his own faith, secured the earl of Tyrconnell to the king; and this gave the beginning to the war of Ireland. Mountjoy, the protestant lord that was sent to France, instead of being heard to deliver his message, was clapped up in the Bastille; which, since he was sent in the name of a kingdom, was thought a very dishonourable thing, and contrary to the law of nations. Those who had advised the sending over Hamilton were now much out of countenance; and the earl of Clarendon was a loud disclaimer against it. It was believed, that it had a terrible effect on sir William Temple's son, who had raised in the prince a high opinion of Hamilton's honour. Soon after that, he, who had no other visible cause of melancholy besides this, went in a boat on the Thames, near the bridge, where the river runs most impetuously, and leaped into the river and was drowned\*.

The sitting of the convention was now very near. And all men were forming their schemes, and fortifying their party all they could. The elections were managed fairly all England over. The prince did in no sort interpose in any recommendation, directly or indirectly. Three parties were formed about the town: the one was for calling back the king, and treating with him for such securities to our religion and laws, as might put them out of the danger for the future of a dispensing or arbitrary power. These were all of the high church party, who had carried the point of submission and non-resistance so far, that they thought nothing less than this could consist with their duty and their oaths. When it was objected to them, that, according to those notions that they had been possessed with, they ought to be for calling the king back without conditions: when he came, they might indeed offer him their petitions, which he might grant or reject as he pleased; but that the offering him conditions before he was recalled, was contrary to their former doctrine of unconditional allegiance. They were at such a stand upon this objection, that it was plain, they spoke of conditions, either in compliance with the humour of the nation; or that, with relation to their particular interest, nature was so strong in them, that it was too hard for their principle.

\* Sir John Reresby says that Mr. Temple was well married, steady, and accomplished. He had lately been appointed secretary of war by king William. When he drowned himself, he left a note in the boat to this effect: "My folly in undertaking what I could not perform,

whereby some misfortunes have befallen the king's service, is the cause of my putting myself to this sudden end; I wish him success in all his undertakings, and a better servant."—Reresby's Memoirs and Clarendon Correspondence.

When this notion was tossed and talked of about the town, so few went into it, that the party which supported it went over to the scheme of a second party: which was, that king James had, by his ill administration of the government, brought himself into an incapacity of holding the exercise of the sovereign authority any more in his own hand; but, as in the case of lunatics, the right still remained in him: only the guardianship, or the exercise, of it was to be lodged with a prince regent: so that the right of sovereignty should be owned to remain still in the king, and that the exercise of it should be vested in the prince of Orange, as prince regent. A third party was for setting king James quite aside, and for setting the prince on the throne.

When the convention was opened on the twenty-fourth of January, the archbishop came not to take his place among them. He resolved neither to act for, nor against, the king's interest; which, considering his high post, was thought very unbecoming. For if he thought, as by his behaviour afterwards it seems he did, that the nation was running into treason, rebellion, and perjury, it was a strange thing to see one, who was at the head of the church, sit silent all the while that this was in debate, and not once so much as declare his opinion by speaking, voting, or protesting, not to mention the other ecclesiastical methods that certainly became his character. But he was a poor spirited and fearful man, and acted a very mean part in all this great transaction. The bishops' bench was very full, as were also the benches of the temporal lords. The earls of Nottingham, Clarendon, and Rochester, were the men that managed the debates in favour of a regent, in opposition to those who were for setting up another king.

They thought this would save the nation, and yet secure the honour of the church of England and the sacredness of the crown. It was urged that if, upon any pretence whatsoever, the nation might throw off their king, then the crown must become precarious, and the power of judging the king must be in the people. This must end in a commonwealth. A great deal was brought from both the laws and history of England to prove that, not only the person, but the authority, of the king was sacred. The law had indeed provided a remedy of a regency for the infancy of our kings. So, if a king should fall into such errors in his conduct, as showed that he was as little capable of holding the government as an infant was, then the estates of the kingdom might, upon this parity of the case, seek to the remedy provided for an infant, and lodge the power with a regent. But the right was to remain, and to go on in a lineal succession: for, if that was once put ever so little out of its order, the crown would in a little time become elective; which might rend the nation in pieces by a diversity of elections, and by the different factions that would adhere to the person whom they had elected. They did not deny but that great objections lay against the methods that they proposed. But affairs were brought into so desperate a state by king James's conduct, that it was not possible to propose a remedy that might not be justly excepted to. But they thought their expedient would take in the greatest, as well as the best, part of the nation: whereas all other expedients gratified a republican party, composed of the dissenters, and of men of no religion, who hoped now to see the church ruined, and the government set upon such a bottom, as that we should have only a titular king: who, as he had his power from the people, so should be accountable to them for the exercise of it, and should forfeit it at their pleasure. The much greater part of the house of lords was for this, and stuck long to it; and so was about a third part of the house of commons. The greatest part of the clergy declared themselves for it.

But of those who agreed in this expedient it was visible there were two different parties. Some intended to bring king James back, and went into this as the most probable way for laying the nation asleep, and for overcoming the present aversion that all people had to him. That being once done, they reckoned it would be no hard thing, with the help of some time, to compass the other. Others seemed to mean more sincerely. They said they could not vote nor argue, but according to their own principles, as long as the matter was yet entire; but they owned that they had taken up another principle, both from the law and from the history of England: which was, that they would obey and pay allegiance to the king for the time being. They thought a king thus *de facto* had a right to their obedience, and that they were bound to adhere to him, and to defend him, even in opposition to him with

whom they thought the right did still remain. The earl of Nottingham was the person that owned this doctrine the most during these debates. He said to myself, that though he could not argue, nor vote, but according to the scheme and principles he had concerning our laws and constitution, yet he should not be sorry to see his side out-voted; and that, though he could not agree to the making a king as things stood, yet if he found one made he would be more faithful to him, than those that made him could be, according to their own principles.

The third party was made up of those who thought that there was an original contract between the kings and the people of England: by which the kings were bound to defend their people, and to govern them according to law; in lieu of which the people were bound to obey and serve the king. The proof of this appeared in the ancient forms of coronations still observed: by which the people were asked if they would have that person before them to be their king; and, upon their shouts of consent, the coronation was gone about. But, before the king was crowned, he was asked if he would not defend and protect his people, and govern them according to law: and, upon his promising and swearing this, he was crowned; and then homage was done him. And, though of late the coronation has been considered rather as a solemn instalment, than that which gave the king his authority, so that it was become a maxim in law that the king never died, and that the new king was crowned in the right of his succession, yet these forms, that were still continued, showed what the government was originally. Many things were brought to support this from the British and Saxon times. It was urged that William the Conqueror was received upon his promising to keep the laws of Edward the Confessor, which was plainly the original contract between him and the nation. This was often renewed by his successors. Edward the Second and Richard the Second were deposed for breaking these laws; and these depositions were still good in law, since they were not reversed, nor was the right of deposing them ever renounced or disowned. Many things were alleged, from what had passed during the barons' wars, for confirming all this. Upon which I will add one particular circumstance, that the original of king John's magna charta, with his great seal to it, was then given to me by a gentleman that found it among his father's papers, but did not know how he came by it: and it is still in my hands. It was said in this argument, what did all the limitations of the regal power signify, if upon a king's breaking through them all the people had not a right to maintain their laws and to preserve their constitution? It was indeed confessed that this might have ill consequences, and might be carried too far. But the denying this right in any case whatsoever, did plainly destroy all liberty, and establish tyranny. The present alteration proposed would be no precedent but to the like case. And it was fit that a precedent should be made for such occasions, if those of Edward the Second and Richard the Second were not acknowledged to be good ones. It was said that if king James had only broken some laws, and done some illegal acts, it might be justly urged, that it was not reasonable on account of these to carry severities too far. But he had broken through the laws in many public and avowed instances: he had set up an open treaty with Rome: he had shaken the whole settlement of Ireland, and had put that island, and the English and protestants that were there, in the power of the Irish: the dispensing power took away not only those laws to which it was applied, but all other laws whatsoever by the precedent it had set, and by the consequences that followed upon it: by the ecclesiastical commission he had invaded the liberty of the church, and subjected the clergy to mere will and pleasure: and all was concluded by his deserting his people, and flying to a foreign power, rather than stay and submit to the determinations of a free parliament. Upon all which it was inferred, that he had abdicated the government, and had left the throne vacant: which therefore ought now to be filled, that so the nation might be preserved, and the regal government continued in it.

As to the proposition for a prince regent, it was argued that this was as much against monarchy, or rather more, than what they moved for. If a king's ill government did give the people a right in any case to take his power from him, and to lodge it with another, owning that the right to it still remained with him, this might have every whit as bad consequences as the other seemed to have: for recourse might be had to this violent remedy too

often and too rashly. By this proposition of a regent, here were to be upon the matter two kings at the same time: one with the title, and another with the power, of a king. This was both more illegal and more unsafe than the method they proposed. The law of England had settled the point of the subject's security in obeying the king in possession, in the statute made by Henry the Seventh. So every man knew he was safe under a king, and so would act with zeal and courage. But all such as should act under a prince regent, created by this convention, were upon a bottom that had not the necessary forms of law for it. All that was done by them would be thought null and void in law: so that no man could be safe that acted under it. If the oaths to king James were thought to be still binding, the subjects were by these not only bound to maintain his title to the crown, but all his prerogatives and powers. And therefore it seemed absurd to continue a government in his name, and to take oaths still to him, when yet all the power was taken out of his hands. This would be an odious thing, both before God and the whole world, and would cast a reproach on us at present, and bring certain ruin for the future on any such mixed and unnatural sort of government. Therefore, if the oaths were still binding, the nation was still bound by them, not by halves, but in their whole extent. It was said that, if the government should be carried on in king James's name, but in other hands, the body of the nation would consider him as the person that was truly their king. And if any should plot, or act, for him, they could not be proceeded against for high treason, as conspiring against the king's person or government; when it would be visible that they were only designing to preserve his person, and to restore him to his government. To proceed against any, or to take their lives for such practices, would be to add murder to perjury. And it was not to be supposed that juries would find such men guilty of treason. In the weakness of infancy, a prince regent was in law the same person with the king, who had not yet a will; and it was to be presumed the prince regent's will was the king's will. But that could not be applied to the present case, where the king and the regent must be presumed to be in a perpetual struggle: the one to recover his power, the other to preserve his authority. These things seemed to be so plainly made out in the debate that it was generally thought that no man could resist such force of argument, but those who intended to bring back king James. And it was believed that those of his party, who were looked on as men of conscience, had secret orders from him to act upon this pretence; since otherwise they offered to act clearly in contradiction to their own oaths and principles.

But those who were for continuing the government, and only for changing the persons, were not at all of a mind. Some among them had very different views and ends from the rest. These intended to take advantage from the present conjuncture, to depress the crown, to render it as much precarious and elective as they could, and to raise the power of the people upon the ruin of monarchy. Among those, some went so far as to say that the whole government was dissolved. But this appeared a bold and dangerous assertion: for that might have been carried so far as to infer from it that all men's properties, honours, rights, and franchises, were dissolved. Therefore it was thought safer to say that king James had dissolved the tie that was between him and the nation. Others avoided going into new speculations, or schemes of government. They thought it was enough to say that in extreme cases all obligations did cease; and that in our present circumstances the extremity of affairs, by reason of the late ill government, and by king James's flying over to the enemy of the nation, rather than submit to reasonable terms, had put the people of England on the necessity of securing themselves upon a legal bottom. It was said, that though the vow of marriage was made for term of life, and without conditions expressed, yet a breach in the tie itself sets the innocent party at liberty. So a king, who had his power both given him and defined by the law, and was bound to govern by law, when he set himself to break all laws, and in conclusion deserted his people, did, by so doing, set them at liberty to put themselves in a legal and safe state. There was no need of fearing ill consequences from this. Houses were pulled down or blown up in a fire, and yet men found themselves safe in their houses. In extreme dangers the common sense of mankind would justify extreme remedies; though there was no special provision that directed to them, or allowed of them. Therefore, they

said, a nation's securing itself against a king, who was subverting the government, did not expose monarchy, nor raise a popular authority, as some did tragically represent the matter.

There were also great disputes about the original contract: some denying there was any such thing, and asking where it was kept and how it could be come at. To this others answered that it was implied in a legal government: though in a long tract of time, and in dark ages, there was not such an explicit proof of it to be found. Yet many hints from law-books and histories were brought to show that the nation had always submitted and obeyed in consideration of their laws, which were still stipulated to them.

There were also many debates on the word "abdicate;" for the commons came soon to a resolution, that king James, by breaking the original contract, and by withdrawing himself, had abdicated the government; and that the throne was thereby become vacant. They sent this vote to the lords, and prayed their concurrence. Upon which many debates and conferences arose. At last it came to a free conference, in which, according to the sense of the whole nation, the commons had clearly the advantage on their side. The lords had some more colour for opposing the word "abdicate," since that was often taken in a sense that imported the full purpose and consent of him that abdicated, which could not be pretended in this case. But there were good authorities brought, by which it appeared that when a person did a thing upon which his leaving any office ought to follow, he was said to abdicate. But this was a critical dispute, and it scarcely became the greatness of that assembly, or the importance of the matter.

It was a more important debate, whether, supposing king James had abdicated, the throne could be declared vacant. It was urged that, by the law, the king did never die, but that with the last breath of the dying king, the regal authority went to the next heir. So it was said, that supposing king James had abdicated, the throne was (*ipso facto*) filled in that instant by the next heir. This seemed to be proved by the heirs of the king being sworn to in the oath of allegiance; which oath was not only made personally to the king, but likewise to his heirs and successors. Those who insisted on the abdication, said, that if the king dissolved the tie between him and his subjects to himself, he dissolved their tie likewise to his posterity. An heir was one that came in the room of a person that was dead; it being a maxim that no man can be the heir of a living man. If therefore the king had fallen from his own right, as no heir of his could pretend to any inheritance from him as long as he was alive, so they could succeed to nothing, but to that which was vested in him at the time of his death. And, as in the case of attainder, every right that a man was divested of before his death was, as it were, annihilated in him, and by consequence could not pass to his heirs by his death, not being then in himself: so if a king did set his people free from any tie to himself, they must be supposed to be put in a state, in which they might secure themselves; and therefore could not be bound to receive one who they had reason to believe would study to dissolve and revenge all they had done. If the principle of self preservation did justify a nation in securing itself from a violent invasion, and a total subversion, then it must have its full scope to give a real, and not a seeming and fraudulent, security. They did acknowledge that upon the grounds of natural equity, and for securing the nation in after times, it was fit to go as near the lineal succession as might be: yet they could not yield that point, that they were strictly bound to it.

It was proposed that the birth of the pretended prince might be examined into. Some pressed this, not so much from an opinion that they were bound to assert his right if it should appear that he was born of the queen, as because they thought it would justify the nation, and more particularly the prince and the two princesses, if an imposture in that matter could have been proved. And it would have gone far to satisfy many of the weaker sort, as to all the proceeding against king James. Upon which I was ordered to gather together all the presumptive proofs that were formerly mentioned, which were all ready to have been made out. It is true, these did not amount to a full and legal proof; yet they seemed to be such violent presumptions, that, when they were all laid together, they were more convincing than plain and downright evidence: for that was liable to the

suspicion of subornation ; whereas the other seemed to carry on them very convincing characters of truth and certainty. But when this matter was in private debated, some observed that, as king James, by going about to prove the truth of the birth, and yet doing it so defectively, had really made it more suspicious than it was before ; so, if there was no clear and positive proof made of an imposture, the pretending to examine into it, and then the not being able to make it out, beyond the possibility of contradiction, would really give more credit to the thing than it then had, and, instead of weakening it, would strengthen the pretension of his birth.

When this debate was proposed in the house of lords, it was rejected with indignation. He was now sent out of England to be bred up in France, an enemy both to the nation and to the established religion : it was impossible for the people of England to know whether he was the same person that had been carried over or not. If he should die, another might be put in his room, in such a manner that the nation could not be assured concerning him. The English nation ought not to send into another country, for witnesses to prove that he was their prince, much less receive one upon the testimony of such as were not only aliens, but ought to be presumed enemies. It was also known that all the persons, who had been the confidants in that matter, were conveyed away ; so it was impossible to come at them, by whose means only the truth of that birth could be found out. But while these things were fairly debated by some, there were others who had deeper and darker designs in this matter.

They thought it would be a good security for the nation, to have a dormant title to the crown lie as it were neglected, to oblige our princes to govern well, while they would apprehend the danger of a revolt to a pretender still in their eye. Wildman thought it was a deep piece of policy to let this lie in the dark and undecided. Nor did they think it an ill precedent that they should so neglect the right of succession, as not so much as to enquire into this matter. Upon all these considerations no further enquiry was made into it. It is true, this put a plausible objection in the mouth of all king James's party : here, they said, an infant was condemned, and denied his right, without either proof or enquiry. This still takes with many in the present age. And, that it may not take more in the next, I have used more than ordinary care to gather together all the particulars that were then laid before me as to that matter.

The next thing in debate was who should fill the throne. The marquis of Halifax intended, by his zeal for the prince's interest, to atone for his backwardness in not coming early into it : and, that he might get before lord Danby, who was in great credit with the prince, he moved, that the crown should be given to the prince, and to the two princesses after him. Many of the republican party approved of this ; for by it they gained another point : the people in this case would plainly elect a king, without any critical regard to the order of succession. How far the prince himself entertained this I cannot tell. But I saw it made a great impression on Bentinck. He spoke of it to me, as asking my opinion about it, but so that I plainly saw what was his own, for he gave me all the arguments that were offered for it ; as, that it was most natural that the sovereign power should be only in one person : that a man's wife ought only to be his wife : that it was a suitable return to the prince for what he had done for the nation : that a divided sovereignty was liable to great inconveniences : and, though there was less to be apprehended from the princess of anything of that kind than from any woman alive, yet all mortals were frail, and might at some time or other of their lives be wrought on.

To all this I answered, with some vehemence, that this was a very ill return for the steps the princess had made to the prince three years ago : it would be thought both unjust and ungrateful ; it would meet with great opposition, and give a general ill impression of the prince, as insatiable and jealous in his ambition : there was an ill humour already spreading itself through the nation, and through the clergy ; it was not necessary to increase this, which such a step, as was now proposed, would do out of measure : it would engage the one sex generally against the prince ; and in time they might feel the effects of that very sensibly ; and, for my own part, I should think myself bound to oppose it all I could, considering what had passed in Holland on that head. We talked over the whole thing for many

hours, till it was pretty far in the morning. I saw he was well instructed in the argument ; and he himself was possessed with it. So next morning I came to him, and desired my congé. I would oppose nothing in which the prince seemed to be concerned, as long as I was his servant : and therefore I desired to be disengaged, that I might be free to oppose this proposition, with all the strength and credit I had. He answered me, that I might desire that, when I saw a step made ; but till then he wished me to stay where I was. I heard no more of this, in which the marquis of Halifax was single among the peers ; for I did not find there was any one of them of his mind, unless it was the lord Culpepper, who was a vicious and corrupt man, but made a figure in the debates that were now in the house of lords, and died about the end of them. Some moved, that the princess of Orange might be put on the throne ; and that it might be left to her to give the prince such a share either of dignity or power as she should propose when she was declared queen. The agents of princess Anne began to go about, and to oppose any proposition for the prince to her prejudice ; but she thought fit to disown them. Dr. Doughty, one of her chaplains, spoke to me in her room on the subject ; but she said to myself, that she knew nothing of it.

The proposition, in which all that were for the filling the throne agreed at last, was, that both the prince and princess should be made conjunct sovereigns ; but, for the preventing of any distractions, that the administration should be singly in the prince. The princess continued all the while in Holland, being shut in there, during the east winds, by the freezing of the rivers, and by contrary winds after the thaw came : so that she came not to England till all the debates were over. The prince's enemies gave it out, that she was kept there by order, on design that she might not come over to England to claim her right. So parties began to be formed, some for the prince, and others for the princess. Upon this the earl of Danby sent one over to the princess, and gave her an account of the present state of that debate ; and desired to know her own sense of the matter ; for, if she desired it, he did not doubt but he should be able to carry it, for setting her alone on the throne. She made him a very sharp answer : she said, she was the prince's wife, and would never be other, than what she should be in conjunction with him, and under him ; and that she would take it extremely unkindly, if any, under a pretence of their care of her, would set up a divided interest between her and the prince. And, not content with this, she sent both lord Danby's letter, and her answer, to the prince. Her sending it thus to him was the most effectual discouragement possible, to any attempt for the future to create a misunderstanding or jealousy between them. The prince bore this with his usual phlegm : for he did not expostulate with the earl of Danby upon it, but continued still to employ, and to trust him ; and afterwards he advanced him, first to be a marquis, and then to be a duke.

During all these debates, and the great heat with which they were managed, the prince's own behaviour was very mysterious. He stayed at St. James's : he went little abroad : access to him was not very easy. He heard all that was said to him, but seldom made any answers. He did not affect to be affable, or popular ; nor would he take any pains to gain any one person over to his party. He said, he came over, being invited, to save the nation ; he had now brought together a free and true representative of the kingdom : he left it therefore to them to do what they thought best for the good of the kingdom ; and, when things were once settled, he should be well satisfied to go back to Holland again. Those who did not know him well, and who imagined that a crown had charms, which human nature was not strong enough to resist, looked on all this as an affectation, and as a disguised threatening, which imported, that he would leave the nation to perish, unless his method of settling it was followed. After a reservedness, that had continued so close for several weeks, that nobody could certainly tell what he desired, he called for the marquis of Halifax, and the earls of Shrewsbury and Danby, and some others, to explain himself more distinctly to them.

He told them, he had been till then silent, because he would not say, or do, any thing that might seem in any sort to take from any person the full freedom of deliberating and voting in matters of such importance : he was resolved neither to court nor threaten any one ; and therefore he had declined to give out his own thoughts. Some were for putting the government in the hands of a regent ; he would say nothing against it, if it was thought

the best mean for settling their affairs ; only he thought it necessary to tell them, that he would not be the regent ; so, if they continued in that design, they must look out for some other person to be put in that post : he himself saw what the consequences of it were likely to prove ; so he would not accept of it : others were for putting the princess singly on the throne, and that he should reign by her courtesy : he said, no man could esteem a woman more than he did the princess ; but he was so made, that he could not think of holding any thing by apron-strings ; nor could he think it reasonable to have any share in the government, unless it was put in his person, and that for term of life : if they did think it fit to settle it otherwise, he would not oppose them in it ; but he would go back to Holland, and meddle no more in their affairs. He assured them, that whatsoever others might think of a crown, it was no such thing in his eyes, but that he could live very well, and be well pleased without it. In the end, he said, that he could not resolve to accept of a dignity, so as to hold it only for the life of another ; yet he thought that the issue of princess Anne should be preferred in the succession, to any issue that he might have by any other wife than the princess. All this he delivered to them in so cold and unconcerned a manner, that those who judged of others by the dispositions that they felt in themselves, looked on it all as artifice and contrivance.

This was presently told about, as it was not intended to be kept secret ; and it helped not a little to bring the debates at Westminster to a speedy determination. Some were still in doubt with relation to the princess. In some it was conscience ; for they thought the equitable right was in her. Others might be moved by interests, since if she should think herself wronged, and ill used in this matter, she, who was likely to outlive the prince, being so much younger and healthier than he was, might have it in her power to take her revenges on all that should concur in such a design. Upon this, I, who knew her sense of the matter very perfectly by what had passed in Holland, as was formerly told, was in a great difficulty. I had promised her never to speak of that matter, but by her order ; but I presumed, in such a case I was to take orders from the prince. So I asked him what he would order me to do. He said, he would give me no orders in that matter, but left me to do as I pleased. I looked on this as the allowing me to let the princess's resolution in that be known, by which many, who stood formerly in suspense, were fully satisfied. Those to whom I gave the account of that matter were indeed amazed at it ; and concluded, that the princess was either a very good, or a very weak woman. An indifference for power and rule seemed so extraordinary a thing, that it was thought a certain character of an excess of goodness, or simplicity. At her coming to England, she not only justified me, but approved of my publishing that matter ; and spoke particularly of it to her sister princess Anne. There were other differences in the form of the settlement. The republican party were at first for deposing king James by a formal sentence, and for giving the crown to the prince and princess by as formal an election. But that was overruled in the beginning. I have not pursued the relation of the debates, according to the order in which they passed, which will be found in the journal of both houses during the convention ; but, having had a great share myself in the private managing of those debates, particularly with many of the clergy, and with the men of the most scrupulous and tender consciences, I have given a very full account of all the reasonings on both sides, as that by which the reader may form and guide his own judgment of the whole affair. Many protests passed in the house of lords, in the progress of the debate. The party for a regency was for some time most prevailing ; and then the protests were made by the lords that were for the new settlement. The house was very full ; about a hundred and twenty were present ; and things were so near an equality, that it was at last carried by a very small majority, of two or three, to agree with the commons in voting the abdication, and the vacancy of the throne ; against which a great protest was made ; as also against the final vote, by which the prince and princess of Orange were desired to accept of the crown, and declared to be king and queen ; which went very hardly\*. The

\* For particulars relating to this interesting period, see Parliamentary History ; Evelyn's Diary ; Clarendon Correspondence ; Dalrymple's Memoirs ; Reresby's Memoirs, &c. &c.

The following succinct account of the proceedings in parliament, after the king's departure, is extracted from the Harleian MSS. 1218. 37. D. pp. 132, 280. They coincide with all the authorities here referred to.—

poor bishop of Durham, who had absconded for some time, and was waiting for a ship to get beyond sea, fearing public affronts, and had offered to compound by resigning his bishopric, was now prevailed on to come, and by voting the new settlement, to merit at least a pardon

On the 11th of December, 1688, king James the Second was going privately by water from Whitehall to Gravesend, in order to depart beyond sea. The lords spiritual and temporal in and near the city of London, its lord mayor and aldermen, in consequence met the same day at Guildhall, to consult about the means of securing the laws, liberties, and religion of the country, and preserving the peace and tranquillity of the City. They first demanded the governor of the Tower to surrender it, which he did, and they appointed another governor until further orders. They then put forth a declaration, shewing their readiness to concur with his royal highness the prince of Orange, in attaining a free parliament, which will secure the laws, liberties, and property of all, and uphold the protestant religion; and also to desire him to hasten to England, and in the mean time they declare their resolution to preserve the peace of the country as much as possible, and to keep under the popish party. This declaration, by the hands of three temporal and one spiritual peers, was the same day despatched to the prince of Orange. The lords continued to meet daily in the council chamber, at Whitehall, and issued orders to all officers, "being protestants," to do their utmost to preserve the peace. On the 12th, this declaration was published, and on the same day they committed lord Jeffreys to the Tower. On the 13th, they summoned all protestant soldiers to their respective regiments; and the same day, news being brought that the king had been stopped at Faversham, they sent four peers to his majesty, to intreat and persuade him to return to Whitehall, with further directions, that if he refused, to attend his majesty on board any ship he might command, for the transporting his majesty whithersoever he pleased.

On the 21st, the lords assembled in council at St. James's, by desire of the prince of Orange, who came to them, and in a short speech requested them to advise of the best means of obtaining a free parliament, preserving the protestant religion, and restoring and settling the rights and liberties of the kingdom. After mutual compliments, the lords selected the following lawyers to advise with them, viz. sir John Holt, sir Robert Atkins, sergeant Maynard, Mr. Pollexfen, and Mr. Bradbury.

On the 22nd, they chose a chairman and secretary, *pro tempore*. There being present sixty-two peers, they issued an order for the departure, or confinement, of the papists of the neighbourhood of London.

On the 24th, lords Salisbury and Peterborough were sent by them to the Tower, and sundry popish priests and jesuits to Newgate. They then petitioned the prince of Orange to take upon him the management of affairs, and of the public revenue, until the meeting of the convention on the 22nd of the following January; and that he would issue circular letters, subscribed by himself, for the election of members to serve in that convention; and which, in other words, was to be a regularly elected house of commons, the writs to be directed to such returning officers as were protestant. On the same day, the prince published an order, because the necessity of affairs required speedy advice, summoning all such persons as had served as knights, citizens, or burgesses, in any of the parliaments held in the reign of Charles the Second, to attend on the 26th inst., at St. James's; and that the lord mayor, aldermen, and fifty of the common council of the city of London, to be there at the same time. On the 25th, the lords dissolved themselves, and resolved not to meet again until the convention.

On the 26th, various members of the parliaments in

the reign of Charles the Second, and the mayor, aldermen, and common council of the city, attended at St. James's, and the prince told them he sought their advice upon the best mode of obtaining a free parliament, &c. They then adjourned to the house of commons at Westminster, and chose a chairman. They then voted an address of thanks to the prince, and of request that he would take upon himself the government of public affairs, and direct an election of members to serve in parliament to be duly made.

On the 27th, the prince gave a favourable reply to these concordant addresses of the peers and commons; and on the 29th, the writs were issued.

The convention parliament met on the 22nd of January, and, upon motion in the house of commons, it was determined, *asem. con.*, that on the following Monday they would take into consideration the condition and state of the nation. Accordingly, on the 28th, the house resolved itself into a committee of the whole house, for the above purpose, and the following resolution agreed upon :

"Resolved—That king James the Second, having endeavoured to subvert the constitution of the kingdom, by breaking the original contract between the king and people, and, by the advice of the Jesuits and other wicked persons, having violated the fundamental laws, and having withdrawn himself out of this kingdom, has abdicated the government, and that the throne is thereby vacant."

This resolution was immediately carried up to the house of lords, for their concurrence.

On Sunday, the 2nd of February, the lords informed the commons of their assent to the above resolution, with these amendments, "Instead of the word *abdicated*, read *deserted*; and leave out the words, *and that the throne is thereby vacant.*"

On the 4th, the commons met and refused their assent to these amendments, because, said they, "the word *deserted* doth not fully express the conclusion necessarily inferred from the premises to which your lordships have agreed. For your lordships have agreed that king James the Second has endeavoured to subvert the constitution of the kingdom, &c.; now the word *deserted* respects only the withdrawing, but the word *abdicated* respects the whole. If then," they continued, "king James the Second has abdicated, or even only deserted, the government, the throne is thereby vacant. 2ndly. The commons conceive they need not prove to your lordships that as to any other person the throne is also vacant; your lordships, as they conceive, having already admitted it, by your addressing to the prince of Orange, on the 25th of December last, to take upon himself the administration of public affairs, both civil and military, &c. till the meeting of this convention; by your lordships renewing the same address to his highness since you met; and by appointing days of public thanksgiving to be observed throughout the whole kingdom."

Having thus concluded, the commons sought and obtained a conference of the lords upon the subject of the amendments; but the lords persisted in them, because the word *abdication* is a word unknown to the common law, and of doubtful interpretation—and because it implies a voluntary, express act of renunciation which is not in this case. Moreover, though they applied to the prince of Orange, as stated, yet no other inference can thence be drawn, but only that the exercise of the government by king James the Second is ceased; and though the lords were, and are, willing to secure the nation against his return, yet they do not, neither can, agree that there is

for all that he had done ; which, all things considered, was thought very indecent in him, yet not unbecoming the rest of his life and character.

But, before matters were brought to a full conclusion, an enumeration was made of the chief heads of king James's ill government. And in opposition to these, the rights and liberties of the people of England were stated. Some officious people studied to hinder this at that time. They thought they had already lost three weeks in their debates ; and the doing this, with the exactness that was necessary, would take up more time ; or it would be done too much in a hurry, for matters of so nice a nature. And therefore it was moved, that this should be done more at leisure after the settlement. But that was not hearkened

such an abdication, or such a vacancy in the throne, as thereby to render the crown elective ; for, by the constitution of the government, the monarchy is hereditary and not elective, and no act of the king alone can bar or destroy the right of the heir to the crown ; therefore, if the throne be vacant of king James the Second, allegiance is due to such person as the right of succession belongs to.

It was then moved in the house that the amendments of the lords be agreed to. The first was negatived without a division, and the second was negatived by 282 to 151.

A free conference was then desired by the commons, and was granted by the lords ; the managers of which, on the part of the first, were sir Robert Howard, Mr. Pollexfen, Mr. Paul Foley, sir John Holt, lord Falkland, sir George Treby, Mr. Sommers, Mr. Garroway, Mr. Boscawen, Mr. Thomas Littleton, Mr. Palmer, Mr. Hampden, sir Henry Capel, sir Thomas Lee, Mr. Sacheverel, major Wyldman, colonel Birch, Mr. Eyres, sir Richard Temple, sir Henry Goodrich, Mr. Waller, sir John Guise.

The conference met on the 6th of February.

On the part of the commons it was urged, that though there was no express resignation in word or writing, yet there were overt acts quite as significant ; and though the common law has no notice of such a word as abdication, it was merely because the necessity for it was not contemplated. Again, the word *deserted* is of as doubtful meaning in our common law as the word *abdicated*. But the word *abdicated* is of well understood meaning, it signifies to renounce, throw off, disown, or relinquish anything or person, so as to have no further to do with it. In support of these opinions were quoted Grotius de Jure Belli et Pacis, b. ii. c. 4, s. 4. “ *Venit enim hoc non ex jure Civili sed ex jure Naturali, quod quisque potest abdicare et ex naturali presumptione quae voluisse quis creditur quod sufficienter significavit.* ” and then he goes on, “ *recusari hereditos non tantum verbis sed etiam potest et quovis indicio voluntatis.* ”

Calvin, in his Lexicon Juridicum, says, “ *Generum abdicat qui sponsam repudiat.* ” he that divorces his wife, abdicates his son-in-law. Brisonius, in his Commentaries, says, “ *abdicare se magistratum est idem quod abire penitus magistratu.* ”

Again, Grotius de Jure Belli et Pacis, b. i. c. 4, s. 9, says, *abdicare* means, “ *manifeste habere pro redelicto.* ”

On the other hand, “ *deserted,* ” by all authorities, means merely a leaving, a leave withdrawing, a temporary quitting, a negligence which leaves the party at liberty to return to it again ; which neither the lords nor commons intended to be the case in the present instance.

With respect to the objection to declaring the throne vacant, Mr. Hampden made this question in answer, “ If the throne is not vacant, will your lordships inform us who fills it ? ”

The whole object of the lords, as intended by their amendments, was, after much discussion, cleared of all ambiguity by this enquiry by the earl of Nottingham : “ *What is meant by the commons by voting the throne to*

*be vacant ? Do you mean it is so vacant as to null the succession in the hereditary line, and so all the heirs to be cut off ? which, we say, will make the throne elective ?* ” and, as he afterwards added, “ *Do you, gentlemen of the house of commons, mean by abdication a renouncing for himself, or for himself and heirs ?* ” To which many able replies were made and rejoined upon : but none was so conclusive to the point as that of sir Robert Howard. “ *I would ask, he said, this question of any noble lord that is here : Had there been an heir to whom the crown had quietly descended in the line of succession, and this heir certainly known, would your lordships have assembled without his calling ? Would you have either administered the government yourselves, or have advised the prince of Orange to take it upon him ? I doubt,* ” he continued, “ *you had been all guilty of high treason by the laws of England, if a known successor was in possession of the throne, as he must be if the throne was not vacant.* ”

“ *We all know,* ” proceeded the same intelligent man, “ *the monarchy is hereditary, but how to find out the successor in the line ? You think it will be a difficult thing to go upon the examination who is heir. I confess there are difficulties on all sides ; but, it not being clear, must we remain thus ? Use what words you will, fill it up, or nominate, or elect ; it is the thing we are to take care of, and it is high time it was done. My lords, there is no such consequence to be drawn from this vote as an intention or a likelihood of the altering the course of our government so as to make it elective ; there have been precedents of exclusions of the next heir, yet the throne hath all along descended in an hereditary succession, and the main constitution hath been preserved. My lords, you have already limited the succession, and have cut off some that might have a lineal right, for you have concurred with us in the vote that it is inconsistent with our religion and laws to have a papist to reign over us. Must we not then come to an election if the next heir be a papist ? Nay, suppose there was no protestant heir to be found, would not your lordships then break the line ?* ”

Thomas Lee added, “ *It is plain your lordships were sensible we were without a government by your desiring the prince to take the administration ; and in calling this convention that power has been exercised which should be in all States, to make provision in all times and upon occasions for extraordinary cases and necessities.* ” Mr. Sergeant Maynard added, “ *If we look but into the law of nature, which is above all human laws, we have enough to justify us in what we are now about, to provide for ourselves and the public weal in such an exigence as this.* ”

Mr. Paul Foley said, if the whole royal line should fail, who would have the government but the lords and commons ? They being the only remaining apparent parts of the government, are alone fit to supply the defect by providing a successor. Eventually the conference ended without any conclusion ; but, on the following day, the house of lords informed the commons that they agreed to the vote of the latter, sent up on the 28th of January last, without any alteration.

to. It was therefore thought necessary to frame this instrument so, that it should be like a new magna charta. In the stating these grievances and rights, the dispensing power came to be discussed ; and then the power of the crown to grant a *non-obstante* to some statutes was objected. Upon opening this, the debate was found to be so intricate, that it was let fall at that time only for dispatch ; but afterwards an act passed condemning it singly ; and the power of granting a *non-obstante* was for the future taken away : yet king James's party took great advantage from this, and said, that though the main clamour of the nation was against the dispensing power, yet when the convention brought things to a settlement that did not appear to be so clear a point as had been pretended : and it was not so much as mentioned in this instrument of government ; so that, by the confession of his enemies, it appeared to be no unlawful power ; nor was it declared contrary to the liberties of the people of England. Whereas, its not being mentioned then, was only upon the opposition that was made, that so more time might not be lost, nor this instrument be clogged with disputable points.

The last debate was, concerning the oaths that should be taken to the king and queen. Many arguments were taken during the debate, from the oaths in the form in which the allegiance was sworn to the crown, to shew that in a new settlement these could not be taken. And to this it was always answered, that care should be taken, when other things were settled, to adjust these oaths, so that they should agree to the new settlement. In the oaths, as they were formerly conceived, a previous title seemed to be asserted, when the king was sworn to, "as rightful and lawful king." It was therefore said, that these words could not be said of a king who had not a precedent right, but was set up by the nation. So it was moved, that the oaths should be reduced to the ancient simplicity, of swearing to bear faith and true allegiance to the king and queen. This was agreed to. And upon this began the notion of a king *de facto*, but not *de jure*. It was said, that according to the common law, as well as the statute in king Henry the Seventh's reign, the subjects might securely obey any king that was in possession, whether his title was good, or not. This seemed to be a doctrine necessary for the peace and quiet of mankind, that so the subjects may be safe in every government that bringeth them under a superior force, and that will crush them, if they do not give a security for the protection that they enjoy under it. The lawyers had been always of that opinion, that the people were not bound to examine the titles of their princes, but were to submit to him that was in possession. It was therefore judged just and reasonable, in the beginning of a new government, to make the oaths as general and comprehensive as might be ; for it was thought, that those who once took the oaths to the government, would be after that faithful and true to it. This tenderness, which was shewed at this time, to a sort of people that had shewed very little tenderness to men of weak, or ill informed, consciences, was afterwards much abused by a new explanation, or rather a gross equivocation, as to the signification of the words in which the oath was conceived. The true meaning of the words, and the express sense of the imposers was, that, whether men were satisfied, or not, with the putting the king and queen on the throne, yet, now they were on it, they would be true to them, and defend them. But the sense that many put on them was, that they were only to obey them as usurpers, during their usurpation, and that therefore, as long as they continued in quiet possession, they were bound to bear them, and to submit to them ; but that it was still lawful for them to assist king James, if he should come to recover his crown, and that they might act and talk all they could, or durst, in his favour, as being still their king *de jure*. This was contrary to the plain meaning of the words ; " faith, and true allegiance ;" and was contrary to the express declaration in the act that enjoined them. Yet it became too visible, that many in the nation, and particularly among the clergy, took the oath in this sense, to the great reproach of their profession. The prevarication of too many in so sacred a matter contributed not a little to fortify the growing atheism of the present age. The truth was, the greatest part of the clergy had entangled themselves so far with those strange conceits of the divine right of monarchy, and the unlawfulness of resistance in any case ; and they had so engaged themselves, by asserting these things so often and so publicly, that they did not know how to disengage themselves in honour, or conscience.

A notion was started, which by its agreement with their other principles had a great effect

among them, and brought off the greatest number of those who came in honestly to the new government. This was chiefly managed by Dr. Lloyd, bishop of St. Asaph, now translated to Worcester. It was laid thus: the prince had a just cause of making war on the king; in that most of them agreed. In a just war, in which an appeal is made to God, success is considered as the decision of Heaven. So the prince's success against king James gave him the right of conquest over him; and by it all his rights were transferred to the prince. His success was indeed no conquest of the nation, which had neither wronged him, nor resisted him. So that, with relation to the people of England, the prince was no conqueror, but a preserver, and a deliverer, well received, and gratefully acknowledged. Yet with relation to king James, and all the right that was before vested in him, he was, as they thought, a conqueror. By this notion they explained those passages of scripture, that speak of God's disposing of kingdoms, and of pulling down one and setting up another; and also our Saviour's arguing from the inscription on the coin, that they ought to render to Caesar the things that were Caesar's; and St. Paul's charging the Romans to obey the powers that then were, who were the emperors that were originally the invaders of public liberty which they had subdued, and had forced the people and senate of Rome by subsequent acts to confirm an authority that was so ill begun. This might have been made use of more justly, if the prince had assumed the kingship to himself, upon king James's withdrawing; but did not seem to belong to the present case. Yet this had the most universal effect on the far greater part of the clergy.

And now I have stated all the most material parts of these debates, with the fulness that I thought became one of the most important transactions that is in our whole history, and by much the most important of our time.

All things were now made ready for filling the throne; and the very night before it was to be done the princess arrived safely. It had been given out, that she was not well pleased with the late transaction, both with relation to her father and to the present settlement. Upon which the prince wrote to her, that it was necessary she should appear at first so cheerful, that nobody might be discouraged by her looks, or be led to apprehend that she was uneasy, by reason of what had been done. This made her put on a great air of gaiety when she came to Whitehall, and, as may be imagined, had great crowds of all sorts coming to wait on her. I confess, I was one of those that censured this in my thoughts. I thought a little more seriousness had done as well, when she came into her father's palace, and was to be set on his throne next day. I had never seen the least indecency in any part of her deportment before; which made this appear to me so extraordinary, that some days after I took the liberty to ask her, how it came that what she saw in so sad a revolution, as to her father's person, made not a greater impression on her. She took this freedom with her usual goodness; and she assured me, she felt the sense of it very lively upon her thoughts. But she told me, that the letters which had been written to her had obliged her to put on a cheerfulness, in which she might perhaps go too far, because she was obeying directions, and acting a part which was not very natural to her\*. This was on the 12th of February, being

\* It may be reasonably granted that we ought to sacrifice our private wishes to our conviction of the interests of our country, but whilst we submit to the sacrifice, there is no reason why we should conceal that we possess the natural feelings of man, or shew any neglect of that decent deportment which ought to be suggested by our suffering. Neither of the princesses shewed this natural deportment for their father's misfortunes.

Lord Clarendon says, "I asked the princess Anne if she thought her father could justly be deposed? To which she said, those were too great points for her to meddle with; that she was very sorry the king had brought things to the pass they were at; but she was afraid it would not be safe for him ever to return again. I asked her what she meant by that? To which she replied, 'Nothing.' I then told her, I hoped her royal highness would not be offended if I took the liberty to tell her that many good people were extremely troubled to find she seemed no more concerned for her father's misfortune; that people

who were with her in her late progress took notice, that when the news came of the king being gone, she seemed not at all moved, but called for cards, and was as merry as she used to be: to which she replied, they did her wrong to make such reflections upon her actions; that it was true she did call for cards, because she used to play, and she never loved to do any thing that looked like an affected restraint. I answered, that I was sorry her royal highness should think, that shewing a trouble for the king, her father's misfortune, should be interpreted by any as an affected constraint; that I was afraid, such her behaviour rendered her much less in the opinion of the world, even with her father's enemies, than she ought to be."—Singer's Clarendon Corr. ii. 249.

Of queen Mary, when she first arrived at the palace from which her father had been compelled to retreat, Evelyn remarks, "She came into Whitehall laughing and jolly as to a wedding, so as to seem quite transported. She rose early the next morning, and in her undress, as it

Shrove-Tuesday. The thirteenth was the day set for the two houses to come with the offer of the crown. So here ends the Interregnum.

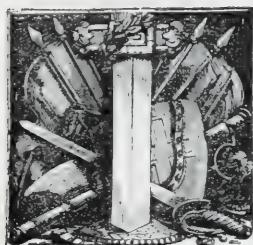
And thus I have given the fullest and most particular account that I could gather of all that passed during this weak, unactive, violent, and superstitious reign; in which all regard to the affairs of Europe seemed to be laid aside, and nothing was thought on but the spiteful humours of a revengeful Italian lady, and the ill laid, and worse managed, projects of some hot meddling priests, whose learning and politics were of a piece, the one exposing them to contempt, and the other to ruin; involving in it a prince, who, if it had not been for his being delivered up to such counsels, might have made a better figure in history. But they managed both themselves and him so ill, that a reign, whose rise was bright and prosperous, was soon set in darkness and disgrace. But I break off here, lest I should seem to aggravate misfortunes, and load the unfortunate too much.

was reported, before her women were up, went about from room to room to see the convenience of the house; lay in the same apartment where the queen lay, and within a night or two, sat down to play at basset, as the queen, her predecessor, used to do. This carriage was censured by many. She seems to be of a good nature, and that she takes nothing to heart; whilst the prince, her husband, has a thoughtful countenance, is wonderful

serious and silent, and seems to treat all persons alike gravely, and to be very intent on affairs."—(Evelyn's Diary, ii. 6.) The duchess of Marlborough confirms this statement; she says Mary "wanted bowels," and animadverted upon her behaviour when she first arrived at Whitehall, as being "very strange and unbecoming."—Account of the Duchess of Marlborough's Conduct, p. 15.

## BOOK V.

OF THE REIGN OF KING WILLIAM AND QUEEN MARY.



NOW begin, on the first day of May, 1705, to prosecute this work ; and have before me a reign, that drew upon it an universal expectation of great things to follow, from such auspicious beginnings ; and from so general a joy as was spread over these nations, and all the neighbouring kingdoms and states ; of whom some had apprehended a general depression, if not the total ruin, of the protestant religion ; and all of them saw such a progress made by the French in the design of enslaving the rest of Europe, that the check which the revolution in England seemed to promise, put a new life in those, who before were sunk in despair. It seemed to be a double-bottomed monarchy, where there were two joint sovereigns ; but those who knew the queen's temper and principles, had no apprehensions of divided counsels or of a distracted government.

That which gave the most melancholy prospect, was the ill state of the king's health, whose stay so long at St. James's without exercise, or hunting, which was so much used by him that it was become necessary, had brought him under such a weakness, as was likely to have very ill effects ; and the face he forced himself to set upon it, that it might not appear too much, made an impression on his temper. He was apt to be peevish ; it put him under a necessity of being much in his closet, and of being silent and reserved ; which, agreeing so well with his natural disposition, made him go off from what all his friends had advised, and he had promised them he would set about, of being more visible, open, and communicative. The nation had been so much accustomed to this, in the two former reigns, that many studied to persuade him, it would be necessary for his affairs to change his way, that he might be more accessible, and freer in his discourse. He seemed resolved on it ; but he said, his ill health made it impossible for him to execute it : and so he went on in his former way, or rather he grew more retired, and was not easily come at, nor spoken to. And in a very few days, after he was set on the throne, he went out to Hampton-court ; and from that palace he came into town only on council days : so that the face of a court, and the rendezvous, usual in the public rooms, was now quite broken. This gave an early and general disgust. The gaiety and the diversions of a court disappeared ; and, though the queen set herself to make up what was wanting in the king, by a great vivacity and cheerfulness, yet when it appeared that she meddled not in business, so that few found their account in making their court to her, though she gave a wonderful content to all that came near her, yet few came.

The king found the air of Hampton-court agreed so well with him, that he resolved to live the greatest part of the year there : but that palace was so very old built, and so irregular, that a design was formed of raising new buildings there for the king and the queen's apartments. This shewed a resolution to live at a distance from London ; and the entering so soon on so expensive a building, afforded matter of censure to those who were disposed enough to entertain it. And this spread a universal discontent in the city of London : and these small and almost indiscernible beginnings and seeds of ill humour, have ever since gone on in a very visible increase and progress.

The first thing the king did, was, to choose a ministry, and to settle a council. The earl of Shrewsbury was declared secretary of state, and had the greatest share of the king's confidence. No exception could be made to the choice, except on account of his youth ; but he

applied himself to business with great diligence, and maintained his candour and temper with more reservedness than was expected from one of his age. It was for some time under consideration who should be the other secretary ; at last the earl of Nottingham was pitched on. He had opposed the settlement with great earnestness, in his copious way of speaking ; but he had always said, that, though he would not make a king, yet upon his principles, he could obey him better than those who were so much set on making one\*. The high church party did apprehend that the opposition they had given the king's advancement, and the zeal that others had shewed for it, would alienate him from them, and throw him into other hands, from whom no good was to be expected for them : and they looked for severe revenges for the hardships they had put on these in the end of king Charles's reign. This grew daily upon that party, and made them begin to look back toward king James. So, not to provoke so great a body too much, it was thought advisable to employ the earl of Nottingham. The great increase of chancery business had made many apprehend it was too much to be trusted to one person ; so it was resolved to put the chancery in commission ; and the earl of Nottingham was proposed to be the first in the commission, but he refused it. So Maynard, Keck, and Rawlinson, three eminent lawyers, were made the three commissioners of the great seal. And soon after that, the earl of Nottingham was appointed secretary of state. This gave as much satisfaction to all the high party, as it begot jealousies and distrust in others. The one hoped for protection and favour by his means : they reckoned he would infuse all the prerogative notions into the king, and give him such a jealousy of every step that the others should make in prejudice of these, that from thence the king would see cause to suspect all the shew of kindness that they might put on to him, when at the same time they were undermining some of those prerogatives, for which the earl of Nottingham seemed to be so zealous. This had a great effect on the king, who being ignorant of our constitution, and naturally cautious, saw cause enough to dislike the heat he found among those who expressed much zeal for him, but who seemed, at the same time, to have with it a great mixture of republican principles. They, on the other hand, were much offended at the employing the earl of Nottingham. And he gave them daily cause to be more displeased at it ; for he set himself with a most eager partiality against the whole party, and against all the motions made by them ; and he studied to possess the king with a very bad opinion of them. And, whereas secretaries of state have a particular allowance for such spies, as they employ to procure intelligence, how exact soever he might be in procuring foreign intelligence, he spared no cost nor pains to have an account of all that passed in the city, and in other angry cabals : and he furnished the king very copiously that way ; which made a deep impression on him, and had very bad effects. The earl of Danby was made marquis of Carmarthen, and president of the council ; and lord Halifax had the privy seal †. The last of

\* Daniel Finch, earl of Nottingham, and afterwards of Winchelsea, was one of the most conscientious men that ever assisted in the council of an English monarch. He was born about the year 1647. Very early in life at Christ Church, Oxford, and the Inner Temple, he was proportionately young when introduced to state affairs ; distinguished as a parliamentary orator, he soon acquired the notice of James the Second, who made him privy counsellor and first commissioner of the admiralty. Every act of his life was consistent. He signed the order for proclaiming James the Second ; but opposed the abrogation of the test act, and maintained the cause of the seven bishops. His opinions relative to the revolution have been already noticed ; William the Third appreciated his integrity, and would have made him lord chancellor, an office his father had so ably filled ; this he declined, but accepted the office of a state secretary. The impotent pardon issued by James in 1692, excepted the earl from those who were forgiven. When jealousies and intrigues induced him to resign, and his character and conduct were examined, it arose resplendent from the scrutiny ; not a charge of peculation could be discovered, but, on the contrary, it was proved that he had rejected a douceur of

10,000*l.* from the East-India company. He opposed, and was affected even to weeping, by the abjuration of the son of James the Second ; yet he submitted to queen Anne's government, and was re-appointed to the secretaryship. Both houses of parliament passed votes of approbation upon him at the time. In 1704 we shall find he resigned, but at the accession of George the First, was made a lord-justice, and lord-president of the council. In 1715, his humanity deprived him of his office, for he was dismissed because he pleaded for the peers, who attempted to restore the Stuarts. The earl was a firm supporter of the protestant faith. The university of Oxford, in full convocation, unanimously thanked him for his " Defence of the Christian Faith, contained in his lordship's answer to Mr. Whiston's letter to him, concerning the eternity of the Son of God, and the Holy Ghost." He died on the first day of 1730. According to Noble, he had, by his second wife, thirty children. Noble's Continuation of Grainger; Birch's Lives; Wood's *Athenæ Oxon.*; Clarendon Correspondence.

† A clear insight into the character of this self-interested nobleman may be found in Sir John Reresby's " Memoirs."

these had gone into all the steps that had been made for the king, with great zeal, and by that means was hated by the high party, whom for distinction sake I will hereafter call Tories, and the other Whigs; terms that I have spoken much against, and have ever hated: but to avoid making always a longer description, I must use them; they being now become as common as if they had been words of our language. Lord Halifax soon saw that his friendship with the Whigs was not likely to last long; his opposing the exclusion stuck still deeply with them; and the business of the quo warranto's, and the delivering up of charters, was cast on him: the slowness of relieving Ireland was also charged on him; he had for some time great credit with the king, though his mercurial wit was not well suited with the king's phlegm. Lord Carmarthen could not bear the equality, or rather the preference that seemed to be given to lord Halifax; and therefore set on the storm that quickly broke out upon him.

Lord Mordaunt was made earl of Monmouth, and first commissioner of the treasury; and lord Delamere, made earl of Warrington\*, was chancellor of the exchequer: lord Godolphin was likewise brought into the treasury, to the great grief of the other two, who soon saw, that the king considered him more than them both. For, as he understood treasury business well, so his calm and cold way suited the king's temper. The earls of Monmouth and Warrington, though both most violent Whigs, became great enemies; the former was generous, and gave the inferior places freely; but sought out the men who were most noted for republican principles, for them all: and the other, they said, sold every thing that was in his power. The privy council was composed chiefly of Whigs.

Nothing gave a more general satisfaction than the naming of the judges; the king ordered every privy councillor to bring a list of twelve: and, out of these, twelve very learned and worthy judges were chosen. This nomination was generally well received over the nation. The first of these was sir John Holt, made lord chief justice of England, then a young man for so high a post, who maintained it all his time with a high reputation for capacity, integrity, courage, and great dispatch. So that, since the lord chief justice Hale's time, that bench has not been so well filled, as it was by him.

The king's chief personal favour lay between Bentinck and Sidney: the former was made earl of Portland and groom of the stole, and continued for ten years to be entirely trusted by the king, and served him with great fidelity and obsequiousness; but he could never bring himself to be acceptable to the English nation†. The other was made first, lord Sidney,

\* He was not made earl of Warrington till after his removal from the office of chancellor of the exchequer.

Henry Booth, lord Delamere, was a son of the loyal but unfortunate sir George Booth, who took up arms in favour of Charles the Second, during the protectorate. He was born in 1651, at the family residence in Cheshire, which county he represented zealously in parliament; promoting the exclusion bill, for which, we have seen in previous pages, he was brought into trouble during the reign of James the Second. At the revolution, besides the chancellorship of the exchequer, he was appointed to the lord lieutenancy of Cheshire. At Whittington, in Derbyshire, a farm house is shewn, where he and the earls of Devonshire and Danby are said to have met, and consulted how they might assist the cause of the prince of Orange. One room is still called by the peasantry there "the plotting parlour."—(Dr. Akenside's Ode addressed to the earl of Huntingdon.) He published several tracts; one, entitled "The late Lord Russel's Case, with observations," throws light upon the history of the period. He died in 1694.—Kippis's Biog. Britannica; Grainger.

† William Bentinck, descended from a noble family in Guelderland, was born about the year 1649. He was liberally educated, and then placed as page of honour to the prince of Orange. Whilst holding this situation, he acted with a devoted heroism for the benefit of the prince, that secured to him his highness's perpetual friendship and favour. The prince was ill of the small pox, and the pustules not freely rising, to promote the eruption a

healthy boy was recommended to be placed with him in bed. Young Bentinck immediately volunteered to undergo this dangerous office; the desired effect was produced, but he was infected, and nearly died of the disorder. The esteem thus gained was secured and strengthened in after-life by the ability, integrity, and prudence, exhibited by Bentinck. He came with the prince when he married the princess Mary; he was the ambassador to warn James the Second of Monmouth's invasion. In Holland, he held a superior office in the prince's household, and the command of the 1st regiment of guards. He shewed extreme intelligence in holding communication with the English protestants previous to the revolution, as well as in the arrangements preliminary to this constitutional effort; and when it was completed, he received the offices of groom of the stole, keeper of the privy-purse, and a privy councillor; and, being naturalised, was raised to the peerage as earl of Portland, knight of the garter, and lieutenant-general of the forces. For a long time he continued first favourite, and was employed upon the most delicate embassies, &c. During one of these, at Paris, he was shewn, in the royal palace, Le Brun's series of paintings, illustrative of Louis the Fourteenth's victories, and was asked whether William's were to be seen in his residence. "No," replied Bentinck, "the monuments of my master's actions are to be seen everywhere but in his palace." Naturally of a reserved temper, and consequently suspected of pride; ignorant of our customs and language; and viewed with jealousy as a foreigner; he did not want enemies, and

and then earl of Rumney, and was put in several great posts. He was made secretary of state, lord-lieutenant of Ireland, and master of the ordnance ; but he was so set on pleasure, that he was not able to follow business with a due application. The earls of Devonshire and Dorset had the white staffs : the first was lord steward, and the other was lord chamberlain ; and they being both whigs, the household was made up of such, except where there were buyers for places, which were set to sale ; and though the king seemed to discourage that, yet he did not encourage propositions that were made for the detecting those practices. Thus was the court, the ministry, and the council composed. The admiralty was put in commission, and Herbert, made earl of Torrington, was first in the commission. He tried to dictate to the board ; and when he found that did not pass upon them, he left it, and studied all he could to disparage their conduct , and it was thought he hoped to have been advanced to that high trust alone.

The first thing proposed to be done was to turn the convention into a parliament, according to the precedent set in the year 1660. This was opposed by all the tories. They said writs were indispensable to the being of a parliament. And though the like was done at the restoration, yet it was said that the convention was then called when there was no king nor great seal in England ; and it was called by the consent of the lawful king, and was done upon a true and visible, and not on a pretended, necessity ; and they added, that after all, even then the convention was not looked on as a legal parliament : its acts were ratified in a subsequent parliament, and from thence they had their authority. So it was moved that the convention should be dissolved, and a new parliament summoned ; for in the joy which accompanied the revolution, men well affected to it were generally chosen ; and it was thought that the damp, which was now spread into many parts of the nation, would occasion great changes in a new election. On the other hand, the necessity of affairs was so pressing, that no time was to be lost ; a delay of forty days might be the total loss of Ireland, and stop all our preparations at sea ; nor was it advisable, in so critical a time, to put the nation into the ferment, which a new election would occasion. And it was reasonable to expect that those who had set the king on the throne would be more zealous to maintain him there than any new set of men could possibly be ; and those who submitted to a king, *de facto*, must likewise submit to a parliament, *de facto*. So the bill passed ; and a day was set for the call of both houses, and for requiring the members to take the oaths.

Eight bishops absented themselves ; who were Sancroft of Canterbury, Thomas of Worcester, Lake of Chichester, Turner of Ely, Lloyd of Norwich, Ken of Bath and Wells, Frampton of Gloucester, and White of Peterborough. But, in the meanwhile, that they might recommend themselves by a show of moderation, some of them moved the house of lords, before they withdrew from it, for a bill of toleration, and another of comprehension ; and these were drawn and offered by the earl of Nottingham : and, as he said to me, they wore the same that he had prepared for the house of commons in king Charles's time, during the debates of the exclusion ; but then things of that kind were looked on as artifices to lay the heat of that time, and to render the church party more popular. After those motions were made, the bishops that were in the house withdrew ; Sancroft, Thomas, and Lake, never came ; the two last died soon after. Ken was a man of a warm imagination ; and, at the time of the king's first landing, he declared heartily for him, and advised all the gentlemen that he saw to go and join with him. But, during the debates in the convention, he went with great heat into the notion of a prince regent. And now, upon the call of the house, he withdrew into his diocese. He changed his mind again, and wrote a paper, persuading the clergy to take the oaths, which he showed to Dr. Whitby, who read it, as the doctor has told me often. His chaplain, Dr. Eyre, did also tell me that he came with him to London, where at first he owned he was resolved to go to the house of lords, and to take

these succeeded in supplanting him in the king's favour by Arnold van Keppel, afterwards earl of Albemarle. Bentinck, however, never lost William's highest esteem ; on his deathbed he sent for his old supporter ; but the power of speech was gone when he arrived, and the prince

could only shew his regard by pressing to his breast Bentinck's hand. The earl then withdrew into private life, where he was distinguished for his benevolence and liberality. He died in 1709.—*Biog. Britannica* ; *Shrewsbury Correspondence* ; *Noble's continuation of Grainger*.

the oaths. But the first day after he came to town, he was prevailed on to change his mind ; and he has continued ever since in a very warm opposition to the government. Sancroft went on in his inactive state, still refusing the oaths, but neither acting nor speaking, except in great confidence, to any against their taking them. These bishops did one thing very inconsistent with their other actions, and that could not be easily reconciled to the rules of good conscience. All presentations are directed to bishops, or to their chancellors ; but, by a general agreement in the year 1660, the bishops resolved to except out of the patents, that they gave their chancellors, the power of giving institution into cures, which before that, the chancellors were empowered to give in the bishop's absence. Now the bishops were bound to see that the clergy, before they gave them institution, took the oaths to the government. In order therefore to decline the doing this, and yet avoid the actions of *quare impedit*, that they would be liable to, if they did not admit the clerks presented to them, they gave new patents to their chancellors, empowering them to give institution ; which they knew could not be done but by tendering the oaths. So they gave authority to laymen to admit men to benefices, and to do that which they thought unlawful, as was the swearing to an usurper against the lawful king. Thus it appeared, how far the engagement of interest and parties can run men into contradictions.

Upon the bishops refusing the oaths, a bill was brought into the house of commons, requiring all persons to take them by a prefixed day, under several forfeitures and penalties. The clergy that took them not were to fall under suspension for six months, and at the end of those they were to be deprived. This was followed with a particular eagerness by some, who were known enemies to the church : and it was then generally believed, that a great part of the clergy would refuse the oaths. So they hoped to have an advantage against the church by this means. Hambden persuaded the king to add a period to a speech he made, concerning the affairs of Ireland, in which he proposed the admitting all protestants to serve in that war. This was understood to be intended for taking off the sacramental test, which was necessary by the law to qualify men for employments, and was looked on as the chief security the church of England had, as it excluded dissenters from all employments. And it was tried, if a bargain could be made, for excusing the clergy from the oaths, provided the dissenters might be excused from the sacrament. The king put this into his speech, without communicating it to the ministry, and it had a very ill effect. It was not only rejected by a great majority in both houses, but it very much heightened the prejudices against the king, as bearing no great affection to the church of England, when he proposed the opening such a door, which they believed would be fatal to them. The rejecting this made the act imposing the oaths to be driven on with the more zeal. This was in debate when I came into the house of lords ; for Ward, bishop of Salisbury, died this winter : many spoke to the king in my favour, without my knowledge. The king made them no answer ; but a few days after he was set on the throne, he of his own motion named me to that see ; and he did it in terms more obliging than usually fell from him. When I waited on the queen, she said, she hoped I would now put in practice those notions with which I had taken the liberty often to entertain her. All the forms of the *congé-d'élire*, and my election, were carried on with dispatch. But a great difficulty was in view. Sancroft would not see me ; and he refused to consecrate me ; so, by law, when the mandate was brought to him, upon not obeying it, he must have been sued in a *premunire* ; and for some days he seemed determined to venture that ; but, as the danger came near, he prevented it, by granting a commission to all the bishops of his province, or to any three of them, in conjunction with the bishop of London, to exercise his metropolitical authority during pleasure. Thus he did authorise others to consecrate me, while yet he seemed to think it an unlawful act. This was so mean, that he himself was ashamed of it afterwards ; but he took an odd way to overthrow it, for he sent for his original warrant ; and so took it out of the office, and got it into his own hands.

I happened to come into the house of lords, when two great debates were managed with much heat in it. The one was about the toleration and comprehension, and the other was about the imposing the oaths on the clergy. And I was engaged, at my first coming there, to bear a large share in both.

That which was long insisted on, in the house of lords, was, that instead of the clause positively enacting, that the clergy should be obliged to take the oaths, the king might be empowered to tender them, and then the refusal was to be punished according to the clause, as it stood in the act. It was thought such a power would oblige them to their good behaviour, and be an effectual restraint upon them; they would be kept quiet at least by it; whereas, if they came under deprivation, or the apprehensions of it, that would make them desperate, and set them on to undermine the government. It was said, that the clergy, by the offices of the church, did solemnly own their allegiance to God, in the sight of all their people; that no oath could lay deeper engagements on them than those acts of religious worship did; and if they should either pass over those offices, or perform them, otherwise than as the law required, there was a clear method, pursuant to the act of uniformity, to proceed severely against them. It was also said, that in many different changes of government, oaths had not proved so effectual a security as was imagined; distinctions were found out, and senses were put on words, by which they were interpreted so, as to signify but little, when a government came to need strength from them; and it ill became those who had formerly complained of these impositions, to urge this with so much vehemence. On the other hand, it was urged, that no man ought to be trusted by a government, chiefly in so sacred a concern, who would not give security to it; especially, since the oath was brought to such low and general terms. The expedient that was proposed would put a hardship upon the king, which was always to be carefully avoided. The day prefixed was at the distance of some months; so that men had time sufficient given them to study the point: and, if in that time they could not satisfy themselves, as to the lawfulness of acknowledging the government, it was not fit that they should continue in the highest posts of the church. An exception of twelve was proposed, who should be subject to the law, upon refusing the oaths when required to it by the king; but that was rejected; and all the mitigation that was obtained was a power to the king to reserve a third part of the profits of any twelve benefices he should name, to the incumbents who should be deprived by virtue of this act; and so it passed. I was the chief manager of the debate in favour of the clergy, both in the house of lords, and at the conferences with the commons; but, seeing it could not be carried, I acquiesced the more easily; because, though in the beginning of these debates I was assured, that those who seemed resolved not to take the oaths, yet prayed for the king in their chapels; yet I found afterwards this was not true, for they named no king, nor queen, and so it was easy to guess whom they meant by such an indefinite designation. I also heard many things, that made me conclude they were endeavouring to raise all the opposition to the government possible.

The bill of toleration passed easily. It excused dissenters from all penalties for their not coming to church, and for going to their separate meetings. There was an exception of Socinians; but a provision was put in it, in favour of quakers; and, though the rest were required to take the oaths to the government, they were excused upon making in lieu thereof a solemn declaration. They were to take out warrants for the houses they met in; and the justices of peace were required to grant them. Some proposed that the act should only be temporary, as a necessary restraint upon the dissenters, that they might demean themselves so as to merit the continuance of it, when the term of years now offered should end. But this was rejected; there was now an universal inclination to pass the act; but it could not be expected that the nation would be in the same good disposition towards them at another time. I shewed so much zeal for this act, as very much sunk my credit, which had arisen from the approbation I had gained, for opposing that which enacted the taking the oaths. As for the act of comprehension, some progress was made in it; but a proviso was offered, that, in imitation of the acts passed in king Henry the Eighth's and king Edward the Sixth's time, a number of persons, both of the clergy and laity, might be empowered to prepare such a reformation of things, relating to the church, as might be offered to king and parliament, in order to the healing our divisions, and the correcting what might be amiss, or defective, in our constitution. This was pressed with great earnestness by many of the temporal lords. I at that time did imagine, that the clergy would have come into such a design with zeal and unanimity; and I feared this would be looked on by them as taking

the matter out of their hands ; and for that reason I argued so warmly against this, that it was carried by a small majority to let it fall. But I was convinced soon after, that I had taken wrong measures, and that the method proposed by these lords was the only one likely to prove effectual ; but this did not so recommend me to the clergy as to balance the censure I came under, for moving, in another proviso of that bill, that the subscription, instead of assent and consent, should only be to submit with a promise of conformity. There was a proviso likewise, in the bill, for dispensing with kneeling at the sacrament, and being baptized with the sign of the cross, to such as, after conference upon those heads, should solemnly protest they were not satisfied as to the lawfulness of them. That concerning kneeling, occasioned a vehement debate ; for the posture being the chief exception that the dissenters had, the giving up this was thought to be the opening a way for them to come into employments : yet it was carried in the house of lords. And I declared myself zealous for it : for, since it was acknowledged that the posture was not essential in itself, and that scruples, how ill grounded soever, were raised upon it, it seemed reasonable to leave the matter as indifferent in its practice as it was in its nature.

Those who had moved for this bill, and afterwards brought it into the house, acted a very disingenuous part ; for, while they studied to recommend themselves by this shew of moderation, they set on their friends to oppose it ; and such as were very sincerely and cordially for it, were represented as the enemies of the church, who intended to subvert it. When the bill was sent down to the house of commons, it was laid on the table ; and, instead of proceeding in it, they made an address to the king, for summoning a convocation of the clergy to attend, according to custom, on the session of parliament. The party that was now beginning to be formed against the government, pretended great zeal for the church, and declared their apprehensions that it was in danger, which was imputed by many to the earl of Nottingham's management. These, as they went heavily into the toleration, so they were much offended with the bill of comprehension, as containing matters relating to the church, in which the representative body of the clergy had not been so much as advised with.

Nor was this bill supported by those who seemed most favourable to the dissenters ; they set it up for a maxim, that it was fit to keep up a strong faction both in church and state ; and they thought it was not agreeable to that, to suffer so great a body as the presbyterians to be made more easy, or more inclinable to unite to the church ; they also thought that the toleration would be best maintained when great numbers should need it, and be concerned to preserve it ; so this good design being zealously opposed, and but faintly promoted, it fell to the ground.

The clergy began now to shew an implacable hatred to the nonconformists, and seemed to wish for an occasion to renew old severities against them ; but wise and good men did very much applaud the quieting the nation by the toleration. It seemed to be suitable, both to the spirit of the Christian religion, and to the interest of the nation. It was thought very unreasonable, that, while we were complaining of the cruelty of the church of Rome, we should fall into such practices among ourselves ; chiefly, while we were engaging in a war, in the progress of which we would need the united strength of the whole nation.

This bill gave the king great content. He in his own opinion always thought, that conscience was God's province, and that it ought not to be imposed on ; and his experience in Holland made him look on toleration as one of the wisest measures of government : he was much troubled to see so much ill humour spreading among the clergy, and by their means over a great part of the nation. He was so true to his principle herein, that he restrained the heat of some who were proposing severe acts against papists. He made them apprehend the advantage which that would give the French, to alienate all the papists of Europe from us ; who from thence might hope to set on foot a new catholic league, and make the war a quarrel of religion ; which might have very bad effects. Nor could he pretend to protect the protestants in many places of Germany, and in Hungary, unless he could cover the papists in England from all severities on the account of their religion. This was so carefully infused into many, and so well understood by them, that the papists have enjoyed the real effects of the toleration, though they were not comprehended within the statute that enacted it

While domestic matters were raising great heats at home, we saw the necessity of making vigorous preparations for the war abroad, and in Ireland. The king laid before both houses the alliances, formerly made by the crown of England, with the States, and with the Empire, together with the new ones that were now proposed, which made a rupture with France necessary. So, by the advices of both houses, war was declared against France; and the necessary supplies, both for the quota that the king was to furnish, and for the reduction of Ireland, were provided.

The next care was a revenue for the support of the government; by a long course and the practice of some ages, the customs had been granted to our kings for life; so the king expected that the like regard should be shewn for him; but men's minds were much divided in that matter. Some Whigs, who by a long opposition, and jealousy of the government, had wrought themselves into such republican principles, that they could not easily come off from them, set it up as a maxim not to grant any revenue, but from year to year, or at most, for a short term of years. This, they thought, would render the crown precarious, and oblige our kings to such a popular method of government, as should merit the constant renewal of that grant. And they hoped, that so uncertain a tenure might more easily bring about an entire change of government. For, by the denying the revenue at any time (except upon intolerable conditions) they thought that might be easily effected, since it would render our kings so feeble, that they would not be able to maintain their authority. The Tories observing this, made great use of it, to beget in the king jealousies of his friends, with too much colour, and too great success. They resolved to reconcile themselves to the king by granting it, but at present only to look on, till the Whigs, who now carried every thing to which they set their full strength, should have refused it.

The king, as he had come through the western countries, from his first landing, had been in many places moved to discharge the chimney-money, and had promised to recommend it to the parliament. He had done that so effectually, that an act passed discharging it; though it was so much opposed by the Tories, that it ran a great hazard in the house of lords. Those who opposed it, pretended, that it was the only sure fund that could never fail in war, so that money would be freely advanced upon it: they said, a few regulations would take away any grievance that might arise from it; but it was thought they were not willing that such an act should pass as would render the king acceptable to the body of the nation\*. It was also thought that the prospect they then had of a speedy revolution, in favour of king James, made some of them unwilling to pass an act that seemed to lay an obligation on him, either to maintain it, or by resuming his revenue, to raise the hatred of the nation higher against him. When the settling the king's revenue was brought under consideration, it was found there were anticipations and charges upon it, from which it seemed reasonable to clear it. So many persons were concerned in this, and the season of the year was so far advanced, that it was pretended they had not time to examine that matter with due care; and therefore, by a provisional act, they granted the king the revenue for one year; and many intended never to carry the grant but from year to year. This touched the king very sensibly. And many discourses that passed among four Whigs in their cabals, were communicated to him by the earl of Nottingham, by which he concluded he was in the hand of persons that did not intend to use him well.

A bill was prepared concerning the militia, which upon the matter, and in consequence of many clauses in it, took it in a great measure both from the crown, and out of the lords lieutenants; who, being generally peers, a bill that lessened their authority so much, was

\* This tax is as old as the time of the Conquest; for in Domesday-book, *fumage*, or *smoke-money*, is mentioned as a payment made by every house that had a chimney. This, in the reign of Edward the Third, had extended into *fuage*, or *fouage*, *hearth-silver*, being a shilling for every fire. This was levied upon the inhabitants of Aquitaine by the Black Prince.—(Rot. Parl. 25 Edward iii. Froissart. c. 141.) The first parliamentary levy of this tax was by statute 13 and 14 Charles 2, c. 10, which gave to the king an hereditary revenue of two

shillings annually upon every hearth in all houses paying church and poor-rates. This was popularly known as *hearth*, or *chimney-money*. It was repealed, as mentioned in the text, by statute 1 William and Mary, st. 1, c. 10, being declared in the preamble, “not only a great oppression to the poorer sort, but a badge of slavery upon the whole people, exposing every man's house to be entered into and searched at pleasure, by persons unknown to him.”

not likely to pass in the house of lords; so it was let lie on the table. By this likewise, which was chiefly promoted by the Whigs, the king came to think, that those who had raised him to the throne, intended to depress his prerogative as much as they had exalted his person. He seemed to grow tender and jealous upon these points, the importance of every one of them being much aggravated by the earl of Nottingham, who had furnished him with a scheme of all the points of the prerogative, and of their dependence one upon another; and he seemed so possessed with this, that many of those who had formerly most of his confidence, found a coldness growing upon him, which increased their disgust, and made them apprehend they should again see a reign full of prerogative maxims. One thing the house of commons granted, which was very acceptable to the king; they gave the States about 600,000*l.* for the charge they had been at in the fleet and army, which they furnished the king with at the revolution.

They could not be brought to another point, though often and much pressed to it by the king. He thought nothing would settle the minds of the nation so much as an act of indemnity, with proper exceptions of some criminals that should be left to justice. Jeffreys was in the Tower; Wright, who had been lord chief justice, and some of the judges, were in Newgate; Graham and Burton, who had been the wicked solicitors in the former reigns, were in prison; but the hottest of the Whigs would not set this on. They thought it best to keep many under the lash; they intended severe revenges for the blood that had been shed, and for the many unjust things that had been done in the end of king Charles's reign; they saw, that the clogging the indemnity, with many comprehensive exceptions, would create king James a great party; so they did not think it proper to offer at that; yet they resolved to keep them still in their power till a better opportunity for falling on them should offer itself: therefore they proceeded so slowly in that matter, that the bill could not be brought to a ripeness during this session. It is true the great mildness of the king's temper, and the gentleness of his government, which was indeed rather liable to censure, as being too remiss, set people's minds much at ease; and, if it gave too much boldness to those who began to set up an open opposition to him, yet it gained upon the greater part of the nation, who saw none of those moving spectacles that had been so common in former reigns; and all promised themselves happy days under so merciful a prince. But angry men put a wicked construction on the earnestness the king shewed for an act of indemnity: they said, he intended to make use of a set of prerogative men, as soon as legally he could; and therefore he desired the instruments of king James's illegal government might be once secured, that so he might employ them. The earls of Monmouth and Warrington were infusing jealousies of the king into their party with the same industry that the earl of Nottingham was, at the same time instilling into the king jealousies of them; and both acted with too much success, which put matters much out of joint; for though the earls of Shrewsbury and Devonshire did all they could to stop the progress and effects of those suspicions with which the Whigs were possessed, yet they had not credit enough to do it. The earl of Shrewsbury, though he had more of the king's favour, yet he had not strength to resist the earl of Nottingham's pompous and tragical declamations\*.

There was a bill of great importance sent up by the commons to the lords, that was not finished this session; it was a bill, declaring the rights and liberties of England, and the succession to the crown, as had been agreed by both houses of parliament, to the king and queen and their issue; and after them, to the princess Anne and her issue; and after these, to the king and his issue. A clause was inserted, disabling all papists from succeeding to the crown; to which the lords added, "or such as should marry papists." To this I proposed an additional clause, absolving the subjects, in that case, from their allegiance. This was seconded by the earl of Shrewsbury; and it passed without any opposition, or debate; which amazed us all, considering the importance of it. But the king ordered me to propose the naming the duchess of Hanover, and her posterity, next in the succession. He signified his pleasure in this also to the ministers; but he ordered me to begin the motion in the house, because I had already set it on foot. And the duke of Hanover had now other

\* The representations of the earl of Shrewsbury to divert the king from his leaning to the Tories, are told in the first pages of Coxe's "Shrewsbury Correspondence."

thoughts of the matter, and was separating himself from the interests of France. The lords agreed to the proposition without any opposition; so it was sent down to the commons. There were great debates there upon it. Hambden pressed it vehemently; but Wildman, and all the republican party, opposed it. Their secret reason seemed to be, a design to extinguish monarchy, and therefore to substitute none beyond the three that were named, that so the succession might quickly come to an end. But it not being decent to own this, all that they pretended was, that there being many in the lineal succession, after the three that were named, who were then of the church of Rome, the leaving to them a possibility to succeed, upon their turning protestants, might have a good effect on them, and dispose them to hearken to instruction; all which would be defeated by a declaration in favour of the duchess.

To this it was answered, in a free conference, that for that very reason it was fit to make this declaration; since nothing could bring us into a more certain danger than a pretended conversion of a false convert, who might by such a disguise ascend the throne, and so work our ruin by secret artifices. Both houses adhered, after the free conference: so the bill fell for that time: but it was resolved to take it up at the opening of the next session. And the king thought it was not then convenient to renew the motion of the duchess of Hanover, of which he ordered me to write her a particular account. It was fit once to have the bill passed that enacted the perpetual exclusion of all papists; for that, upon the matter, brought the succession to their door. And if any in the line, before her, should pretend to change, as it was not very likely to happen, so it would not be easily believed. So it was resolved to carry this matter no further at this time. The bill passed without any opposition, in the beginning of the next session, which I mention here, that I might end this matter all at once\*. The present session was drawn to a great length, and was not ended till August; and then it broke up with a great deal of ill humour.

One accident happened this summer, of a pretty extraordinary nature, that deserves to be remembered. A fisherman, between Lambeth and Vauxhall, was drawing a net pretty close to the channel, and a great weight was, not without some difficulty, drawn to the shore, which, when taken up, was found to be the great seal of England. King James had called for it from the lord Jeffreys, the night before he went away, as intending to make a secret use of it, for pardons or grants. But it seems, when he went away, he thought either that the bulk or weight of it made it inconvenient to be carried off, or that it was to be hereafter of no more use to him; and therefore, that it might not be made use of against him, he threw it into the Thames. The fisherman was well rewarded when he brought the great seal to the king; and by his order it was broken.

But now I must look over to the affairs of Ireland, and to king James's motions. Upon his coming to the court of France, he was received with great shews of tenderness and respect; the French king assuring him, that, as they had both the same interests, so he would never give over the war, till he had restored him to his throne. The only prospect he now had was to keep up his party in Ireland and Scotland. The message from Tyrconnel, for speedy supplies, was very pressing; and his party in Scotland sent one Lindsay over

\* This "immortal bill," as Burke denominates it, is in our code of laws, 1 William and Mary, sess. 2. c. 2. It embodies the declaration of rights presented by both houses of the convention to the prince and princess of Orange, and accepted by them with the crown. It is extraordinary that the clause enacting that the kings and queens of England should take the test oath upon their accession to the crown, and that if any such king or queen embraced the Roman catholic religion, or married a Roman catholic, their subjects should be absolved of their allegiance, passed without any debate. The bill of rights having declared the illegal conduct of James the Second, and his abdication of the throne, enacts, 1. that the king, without the consent of parliament, shall not suspend the operation of any law. 2. That creating new courts of law is illegal. 3. That levying money by the king, un-sanctioned by parliament, is illegal. 4. That the subject

has a right to petition the king. 5. That a standing army, without consent of parliament, cannot be raised or maintained. 6. That protestant subjects may have arms for their defence, suitable to their condition. 7. The election of members of parliament ought to be free. 8. That freedom of speech in parliament cannot be questioned out of parliament. 9. That neither excessive bail, fines, or punishment ought to be inflicted. 10. That jurors should be duly empannelled. 11. That all grants or promises of fines and forfeitures before the party is convicted, are void. 12. That parliaments ought to be held frequently. Concluding with a declaration that the lords and commons "do claim, demand, and insist upon all and singular the premises as their undoubted rights and liberties." The declaration of rights is known to have been chiefly drawn up by Mr. Somers, afterwards lord chancellor and known as "the great lord Somers."

to him, to offer him their service, and to ask what assistance they might depend upon. The French ministry was at this time much divided. Louvois had the greatest credit, and was very successful in all his counsels; so that he was most considered; but Seignelay was believed to have more personal favour, and to be more entirely united to madam Maintenon. These two were in a high competition for favour, and hated one another. Seignelay had the marine, as the other had the army, for his province; so, king James having the most dependence on the marine, and looking on the secretary for that post as the most powerful favourite, made his chief application to him; which set Louvois to cross, and retard, every thing that was proposed for his service: so that matters for him went on slowly, and very defectively. There was another circumstance in king James's affairs that did him much hurt. Lauzun, whose adventures will be found in the French history, had come over to king James, and offered him his service, and had attended on the queen when she went over to France. He had obtained a promise of king James, that he should have the command of such forces as the king of France would assist him with. Louvois hated Lauzun; nor did the king of France like to employ him; so Louvois sent to king James, desiring him to ask of the king of France, Souvray, a son of his, whom he was breeding to serve in war, to command the French troops. But king James had so engaged himself to Lauzun, that he thought he could not in honour depart from it. And ever after that, we were told, that Louvois studied, by all the ways he could think of, to disparage him, and all the propositions he made: yet he got about 5,000 Frenchmen to be sent over with him to Ireland, but no great supplies in money. Promises were sent the Scots of great assistance that should be sent them from Ireland: they were encouraged to make all possible opposition in the convention; and, as soon as the season of the year would admit of it, they were ordered to gather together in the Highlands, and to keep themselves in safe places there till further orders should be sent them. With these, and with a small supply in money, of about five or six thousand pounds, for buying ammunition and arms, Lindsay was sent back. I had such a character given me of him, that I entertained good thoughts of him. So, upon his return, he came first to me, and pretended he had gone over on private affairs, being deeply engaged in debt for the earl of Melfort, whose secretary he had been. I understood from him, that king James had left Paris to go for Ireland; so I sent him to the earl of Shrewsbury's office; but there was a secret management with one of the under secretaries there for king James; so he was not only dismissed, but got a pass warrant from Dr. Wynne, to go to Scotland. I had given the earl of Shrewsbury such a character of the man, that he did more easily believe him; but he knew nothing of the pass warrant. So, my easiness to think well of people, was the chief occasion of the mischief that followed, on his not being clapped up, and more narrowly examined. Upon king James's landing in Ireland, he marched his army from Kinsale to Ulster; and, when it was all together, it consisted of 30,000 foot, and 8,000 horse. It is true the Irish were now as insolent as they were undisciplined; and they began to think they must be masters of all the king's counsels. A jealousy arose between them and the French; they were soon on very bad terms, and scarcely ever agreed in their advices: all king James's party, in the isle of Britain, pressed his settling the affairs of Ireland the best he could, and his bringing over the French, and such of the Irish, as he could best govern, and depend on; and advised him to land in the north of England, or in the west of Scotland.

But the first thing that was to be done was to reduce Londonderry. In order to this, two different advices were offered. The one was, to march with a great force, and to take it immediately; for the town was not capable of resisting, if vigorously attacked. The other was, to block it up so, that it should be forced in a little time to surrender; and to turn to other more vigorous designs. But, whereas either of these advices might have been pursued with advantage, a third advice was offered; but I know not by whom, which was the only bad one, that could be proposed; and yet, by a sort of fatality, which hung over that king, it was followed by him; and that was, to press the town by a slow siege, which, as was given out, would bring the Irish into the methods of war, and would accustom them to fatigue and discipline. And this being resolved on, king James sent a small body before it, which was often changed; and by these he continued the siege above two months, in which the poor inhabitants formed themselves into great order, and came to generous resolu-

tions of enduring the last extremities. They made some sallies, in which the Irish always ran away, and left their officers; so that many of their best officers were killed. Those within suffered little, but by hunger, which destroyed nearly two-thirds of their number. One convoy, with two regiments, and provisions, was sent to their relief; but they looked on the service as desperate, being deceived by Lundy, who was the governor of the place, and had undertaken to betray it to king James; but he finding them jealous of him, came to the convoy, and persuaded them that nothing could be done; so they came back, and Lundy with them. Yet the poor inhabitants, though thus forsaken, resolved still to hold out; and sent over such an account of the state they were in, that a second and greater convoy was sent, with about 5,000 men, commanded by Kirk, who, after he came in sight, made not that haste to relieve them that was necessary, considering the misery they were in. They had a river that came up to their town; but the Irish had laid a boom and chains across it, and had planted batteries for defending it: yet a ship sailing up with wind and tide broke through; and so the town was relieved, and the siege raised in great confusion\*.

Iniskillen had the same fate: the inhabitants entered into resolutions of suffering any thing, rather than fall into the hands of the Irish; a considerable force was sent against them; but through their courage, and the cowardice of the Irish, they held out.

All this while an army was preparing in England, to be sent over for the reduction of Ireland, commanded by Schomberg, who was made a duke in England, and to whom the parliament gave 100,000 pounds for the services he had done. The levies were carried on in England with great zeal; and the bodies were quickly full. But, though both officers and soldiers shewed much courage and affection to the service, yet they were raw, without experience, and without skill. Schomberg had a quick and happy passage, with about 10,000 men. He landed at Belfast, and brought the forces that lay in Ulster together. His army, when strongest, was not above 14,000 men; and he had not above 2,000 horse. He marched on to Dundalk, and there posted himself. King James came to Ardee, within five or six miles of him, being above thrice his number. Schomberg had not the supplies from England that had been promised him: much treachery, or ravenousness, appeared in many who were employed; and he, finding his numbers so unequal to the Irish, resolved to lie on the defensive. He lay there six weeks in a very rainy season: his men, for want of due care and good management, contracted such diseases, that he lost almost the one-half of his army. Some blamed him for not putting things more to hazard: it was said, that he measured the Irish by their numbers, and not by their want of sense and courage. Such complaints were sent of this to the king, that he wrote twice to him, pressing him to put somewhat to the venture; but he saw the enemy was well posted, and well provided; and he knew they had several good officers among them. If he had pushed matters, and had met with a misfortune, his whole army, and consequently all Ireland, would have been lost; for he could not have made a regular retreat. The sure game was to preserve his army; and that would save Ulster, and keep matters entire for another year. This was censured by some; but better judges thought the managing this campaign as he did, was one of the greatest parts of his life. The Irish made some poor attempts to beat up his quarters; but even where they surprised his men, and were much superior in number, they were so shamefully beat back, that this increased the contempt the English naturally had for them. In the end of October, all went into winter quarters.

\* I know not for what reason Burnet omitted to notice the chief instrument in persuading the inhabitants of Londonderry to such a gallant defence, Dr. George Walker. This divine was a native of the county of Tyrone. As soon as he was ordained he obtained the rectory of Donoughmore, where he raised a regiment when James the Second landed. He threw himself and his men into Londonderry as soon as he understood that the ex-king had determined to besiege it. Colonel Lundy, the governor, either a traitor, or a coward, or both, shut himself up in his chamber, and would not interfere in the defence, and was consequently turned out of the town by Mr. Walker; who, in conjunction with Major Baker, was

appointed governor. The siege commenced on the 20th of April; the town was miserably fortified, and the besieging army large; yet it was defended for one hundred and five days, and eventually relieved. For his bravery, Walker received the thanks of the house of commons; and the university of Oxford made him a doctor in divinity. He was afterwards nominated to the bishopric of Derry, but accompanying William the Third, was killed at the battle of the Boyne in July 1690. His "True Account of the Siege of Londonderry," is a highly interesting work.—Warc's Works, by Harris; Grey's Parliamentary Debates.

Our operations on the sea were not very prosperous. Herbert was sent with a fleet to cut off the communication between France and Ireland. The French had sent over a fleet with a great transport of stores and ammunition. They had landed their loading, and were returning back. As they came out of Bantry Bay Herbert engaged them. The wind was against him, so that it was not possible for the greatest part of the fleet to come up and enter into action; and so those who were engaged were forced to retire with some disadvantage. But the French did not pursue him. He came back to Portsmouth, in order to refit some of his ships; and went out again, and lay before Brest till the end of summer. But the French fleet did not come out any more all that summer; so that ours lay some months at sea to no purpose. But if we lost few of our seamen in the engagement, we lost a great many by reason of the bad victualling. Some excused this because it was so late in the year before funds were made for it; while others imputed it to base practices, and worse designs. So affairs had everywhere a very melancholy face.

I now turn to give an account of the proceedings in Scotland. A convention of the states was summoned there in the same manner as in England. Duke Hamilton was chosen president. And a letter being offered to them from king James, by Lindsay, they would not receive nor read it; but went on to state the several violations of their constitution and laws made by King James. Upon these it was moved that a judgment should be given, declaring that he had forfeited his right to the crown. Upon this, three parties were formed: one was composed of all the bishops and some of the nobility, who opposed these proceedings against the king, as contrary to their laws and oaths; others thought that their oaths were only to the king as having the executive power to support him in that; but that, if he set himself to invade and assume the legislature, he renounced his former authority by subverting that upon which it was founded. So they were for proceeding to a declaratory judgment: a third party was formed of those who agreed with the former in their conclusion, but not in coming to so speedy a determination. They thought it was the interest of Scotland to be brought under the laws of England, and to be united to the parliament of England; and that this was the properest time for doing that to the best advantage, since England would be obliged by the present state of affairs to receive them upon good terms. They were therefore willing to proceed against king James; but they thought it not reasonable to make too much haste in a new settlement; and were for maintaining the government in an interregnum till the union should be perfected, or at least put in a probable way. This was specious, and many went into it; but, since it tended to the putting a stop to a full settlement, all that favoured king James joined in it; for by this more time was gained. To this project it was objected that the union of the two kingdoms must be a work of time; since many difficulties would arise in any treaty about it; whereas the present circumstances were critical, and required a speedy decision, and quick provision to be made for their security; since, if they continued in such a neutral state, they would have many enemies and no friends: and the zeal that was now working among them for presbyterianity must raise a greater aversion than ordinary in the body that was for the church of England to any such treaty with them.

While much heat was occasioned by this debate, great numbers came armed from the western counties, on pretence to defend the convention; for the duke of Gordon was still in the castle of Edinburgh, and could have done them much harm, though he lay there in a very inoffensive state. He thought the best thing he could do was to preserve that place long for king James; since to provoke the convention would have drawn a siege and ruin upon him with too much precipitation, while there was not a force in the field ready to come and assist him. So it was said there was no need of such armed companies, and that they were come to over-awe and force the convention.

The earl of Dundee had been at London, and had fixed a correspondence both with England and France; though he had employed me to carry messages from him to the king, to know what security he might expect, if he should go and live in Scotland without owning his government. The king said, if he would live peaceably, and at home, he would protect him. To this he answered, that, unless he were forced to it, he would live quietly. But he went down with other resolutions; and all the party resolved to submit to his command.

Upon his coming to Edinburgh, he pretended he was in danger from those armed multitudes, and so he left the convention ; and went up and down the Highlands, and sent his agents about to bring together what force they could gather. This set on the conclusion of the debates of the convention.

They passed the judgment of forfeiture on king James. And on the 11th of April, the day in which the king and queen were crowned with the ordinary solemnities at Westminster, they declared William and Mary king and queen of Scotland. But with this, as they ordered the coronation oath to be tendered to them, so they drew up a claim of rights, which they pretended were the fundamental, and unalterable, laws of the kingdom. By one of these it was declared, that the reformation in Scotland having been begun by a parity among the clergy, all prelacy in that church was a great and insupportable grievance to that kingdom. It was an absurd thing to put this in a claim of rights ; for which not only they had no law, but which was contrary to many laws then in being ; so that, though they might have offered it as a grievance, there was no colour for pretending it was a national right. But they had a notion among them that every article, that should be put in the claim of rights, became an unalterable law, and a condition upon which the crown was to be held ; whereas grievances were such things as were submitted to the king and parliament to be redressed, or not, as they should see cause ; but the bishops, and those who adhered to them, having left the convention, the presbyterians had a majority of voices to carry everything as they pleased, how unreasonable soever. And upon this, the abolishing episcopacy in Scotland was made a necessary article of the new settlement.

Soon after the king came to St. James's, the episcopal party there had sent up the dean of Glasgow, whom they ordered to come to me ; and I introduced him to the then prince. He was sent to know what his intentions were with relation to them. He answered, he would do all he could to preserve them, granting a full toleration to the presbyterians ; but this was in case they concurred in the new settlement of that kingdom ; for if they opposed that, and if, by a great majority in parliament, resolutions should be taken against them, the king could not make a war for them ; but yet he would do all that was in his power to maintain such of them as should live peaceably in their functions. This he ordered me likewise to write back, in answer to what some bishops and others had written to me upon that subject. But the earl of Dundee, when he went down, possessed them with such an opinion of another speedy revolution, that would be brought about in favour of king James, that they resolved to adhere firmly to his interests. So they declaring in a body with so much zeal, in opposition to the new settlement, it was not possible for the king to preserve that government there ; all those who expressed their zeal for him, being equally zealous against that order.

Among those who appeared in this convention none distinguished himself more than sir James Montgomery, a gentleman of good parts, but of a most unbridled heat, and of a restless ambition : he bore the greatest share in the whole debate, and promised himself a great post in the new government. Duke Hamilton presided with great discretion and courage ; so that the bringing the settlement so soon to a calm conclusion was chiefly owing to him. A petition of grievances, relating to the lords of the articles, the judges, the coin, and several other matters, was also settled ; and three commissioners were sent, one from every state, to the king and queen, with the tender of the crown, with which they were also to tender them the coronation oath and the claim of rights. And when the oath was taken, they were next to offer the petition for the redress of grievances. The three commissioners were, the earl of Argyle for the lords, sir James Montgomery for the knights, or, as they call them, for the barons, and sir John Dalrymple for the boroughs. When the king and queen took the oaths, the king explained one word in the oath, by which he was bound "to repress heresies," that he did not by this bind himself to persecute any for their conscience. And now he was king of Scotland, as well as of England and Ireland.

The first thing to be done was to form a ministry in Scotland, and a council, and to send instructions for turning the convention into a parliament, in which the duke of Hamilton was to represent the king as his commissioner. Before the king had left the Hague, Fagel had so effectually recommended Dalrymple, the father, to him, that he was resolved to rely

chiefly on him for advice. And though he had heard great complaints of him, as indeed there was some ground for them, yet, since his son was sent one of the three upon so great a deputation, he concluded from thence that the family was not so much hated as he had been informed: so he continued still to be advised by him. The episcopal party were afraid of Montgomery's being made secretary, from whom they expected nothing but extreme severities; so they set themselves to divert that, and the lord Melvill, who had married the duchess of Monmouth's sister, and had continued from 1660 firm to presbytery, and had been of late forced to leave the kingdom, was looked on as an easy man, who would have credit enough to restrain the fury of that party. So he was made sole secretary of state, which proved a very unhappy step; for, as he was by his principles bigoted to presbytery, and ready to sacrifice every thing to their humours, so he proved to be in all respects a narrow-hearted man, who minded his own interest more than either that of the king or of his country. This choice gave a great distaste, and that was followed by a ministry, in the framing of which he had the chief hand, who were weak and passionate men. All offices were split into commissions, that many might have some share; but it rendered them all contemptible. And though Montgomery had a considerable post offered him, yet his missing that he aimed at stuck deep, and began to work in him an aversion to the king, which broke out afterwards into much fury and plotting against him. Nor did duke Hamilton think that he was considered in the new model of the ministry, as he deserved, and might justly have expected.

The parliament there was opened with much ill humour; and they resolved to carry the redress of grievances very far. Lord Melvill hoped to have gained the presbyterian party, by sending instructions to duke Hamilton to open the session with an act in favour of presbytery; but the majority resolved to begin with their temporal concerns. So the first grievance, to which a redress was desired, was the power of the lords of the articles: that relating so immediately to the parliament itself. The king consented to a proper regulation, as that the number should be enlarged and changed as often as the parliament should desire it, and that the parliament might bring matters before them, though they were rejected by the lords of the articles. This answered all the just complaints that had been made of that part of the constitution; but the king thought it was the interest of the crown to preserve it thus regulated; yet it was pretended that, if the name and shadow of that were still kept up, the parliament would in some time be insensibly brought under all those restraints that were now to be provided against. So they moved to take it quite away. Duke Hamilton wrote long letters both to the king and to the lord Melvill, giving a full account of the progress of an ill humour that was got among them, and of the ill consequence it was likely to have; but he had no answer from the king; and lord Melvill wrote him back dark and doubtful orders: so he took little care how matters went, and was not ill pleased to see them go wrong. The revenue was settled on the king for life; and they raised the money which was necessary for maintaining a small force in that kingdom, though the greatest part of an army of six thousand men was paid by England. But even the presbyterians began to carry their demands high; they proposed to have the king's supremacy and the right of patronage taken away; and they asked so high an authority to their government, that duke Hamilton, though of himself indifferent as to those matters, yet would not agree to them. He thought these broke in too much on their temporal concerns, and would establish a tyranny in presbytery that could not be easily borne. He wrote to me very fully on that head, and I took the liberty to speak sometimes to the king on those subjects; my design being chiefly to shelter the episcopal clergy, and to keep the change that was now to be made on such a foot, that a door might still be kept open; but lord Melvill had possessed the king with a notion, that it was necessary for his service that the presbyterians should know that I did not at all meddle in those matters, otherwise they would take up a jealousy of every thing that was done; and that this might make them carry their demands much further: so I was shut out from all meddling in those matters; and yet I was then and still continued to be much loaded with this prejudice, that I did not study to hinder those changes that were then made in Scotland. And all the king's enemies in England continued still to charge him for the alterations then made in Scotland: though it was not possible, had he been ever so

zealous for episcopacy, to have preserved it at that time ; and I could do no more than I did, both for the order itself, and for all those who adhered to it there. A new debate was set on foot in that parliament concerning the judges. By the law there, when the king names a judge, he ought to be examined by other judges, whether he is qualified as the law directs ; but, in the year 1661, because the bench was to be filled with a new set of judges, so that there was none to examine the rest, the nomination the king then made was read in parliament, and, no objection being made to any of them, they did upon that sit and act as judges. It was expected that the same method should be followed at this time. But, instead of that, the king continued such a number of the former judges as was sufficient to examine those who were now to be advanced ; so that was ordered to be done. Upon this, those who opposed every thing pretended that the nomination ought to be made in parliament ; and they had prepared objections against every one that was upon the list ; intending by this to put a public affront on one of the first and most important actions of the king's government. Duke Hamilton had a positive instruction sent him not to suffer this matter to be brought into parliament ; yet he saw the party was so set and so strong that they had a clear majority ; nor did he himself very much approve of the nomination, chiefly that of old Dalrymple, soon after made lord Stair, to be president. So he discontinued the parliament.

But while those animosities were thus fomented, the earl of Dundee had got together a considerable body of gentlemen, with some thousands of Highlanders. He sent several messengers over to Ireland, pressing king James to come either to the north of England, or to Scotland. But at the same time he desired that he would not bring the lord Melfort over with him, or employ him more in Scotch business ; and that he would be contented with the exercise of his own religion. It may be easily supposed that all this went against the grain with king James ; and that the lord Melfort disparaged all the earl of Dundee's undertakings. In this he was much supported by the French near that king, who had it given them in charge (as a main instruction) to keep him up to a high owning of his religion, and of all those who were of it ; and not to suffer him to enter into any treaty, or conditions, with his protestant subjects, by which the papists should in any sort suffer, or be so much as discouraged. The Irish were willing enough to cross the seas to England, but would not consent to the going over to Scotland. So the earl of Dundee was furnished with some small store of arms and ammunition, and had kind promises, encouraging him and all that joined with him.

Mackay, a general officer that had served long in Holland with great reputation, and who was the most pious man that I ever knew in a military way, was sent down to command the army in Scotland. . He was one of the best officers of the age, when he had nothing to do but to obey and execute orders ; for he was both diligent, obliging, and brave ; but he was not so fitted for command. His piety made him too apt to mistrust his own sense, and to be too tender, or rather fearful, in anything where there might be a needless effusion of blood. He followed the earl of Dundee's motion, who was less encumbered with cannon and other baggage, and so marched quicker than it was possible for him to follow : his men were for the most part new levied, and without experience ; but he had some old bodies on whom he depended. The heads of the clans among the Highlanders promised to join him ; but most of them went to viscount Dundee. At last, after many marches and motions, they came to an engagement at Killiecrankie, some few miles above Dunkeld. The ground was narrow, and lord Dundee had the advantage. He broke through Mackay's army, and they ran for it ; and probably, if the earl of Dundee had outlived that day, the victory might have been pursued far ; but a random shot put an end to his life, and to the whole design ; for Mackay rallied his men and made such a stand, that the other side fell into great disorder, and could never be formed again into a considerable body. A fort was soon after built at Innerlochy, which was called Fort William, and served to cut off the communication between the northern and southern Highlanders\*.

\* Lord Clarendon says that he had it from sir George Mackenzie, that, if James the Second had placed himself at the head of the Scotch Highlanders, while the earl of

Dundee was alive, all Scotland would have joined him. But the earl of Melfort's advice and influence ruined his cause.—(Clarendon Correspondence.) John Graham,





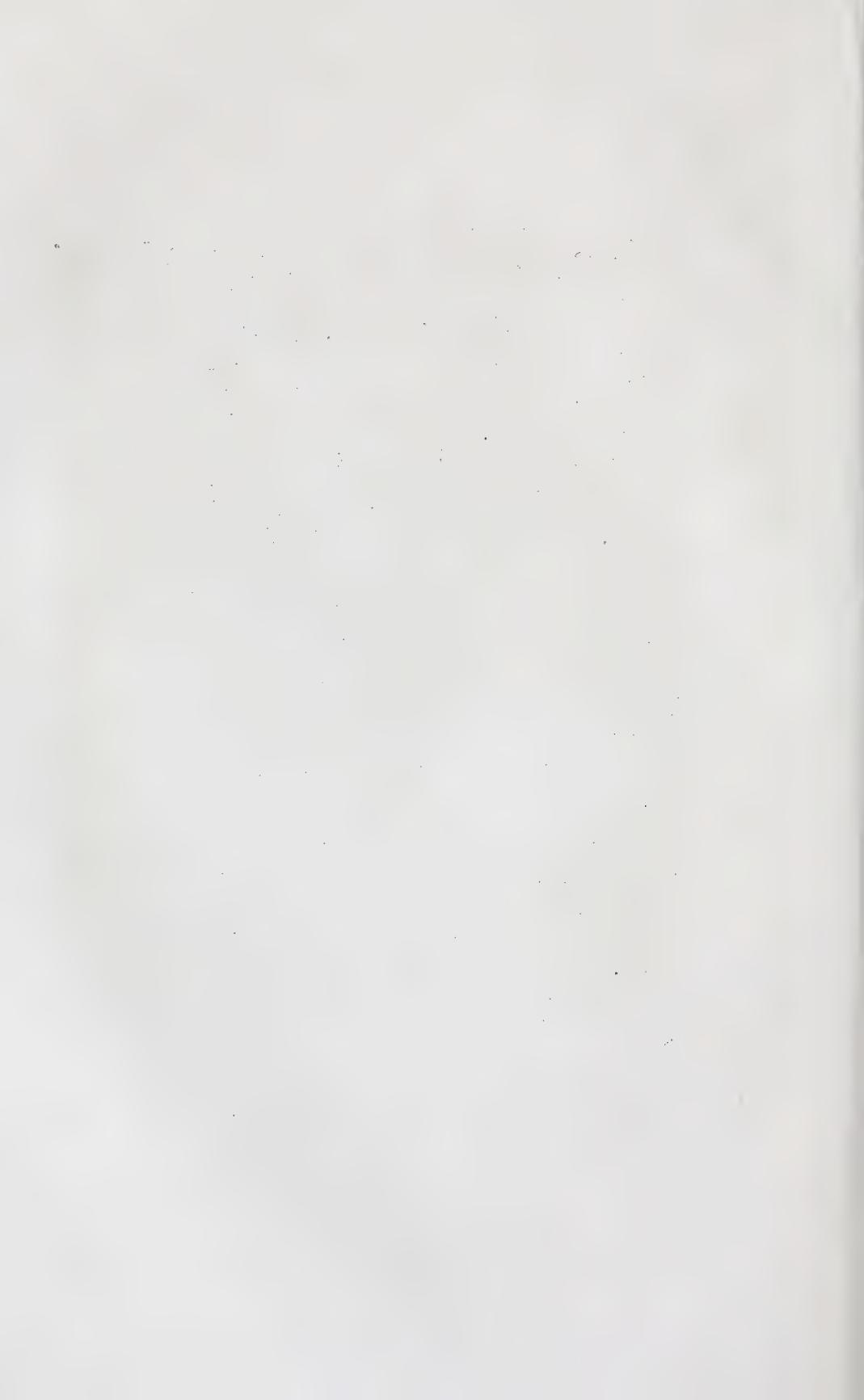


Engraved by H. Robinson.

**JOHN GRAHAM, VISCOUNT OF DUNDEE.**

OB. 1639.

FROM THE ORIGINAL OF LILY, IN THE COLLECTION OF  
THE RIGHT HON<sup>BLE</sup> THE EARL OF STRATHMORE



During all these public disorders that happened in so many different places, the trade suffered considerably ; for the French, not setting out a fleet any more, sent out so many cruisers and privateers into our seas, that England thereby suffered great losses ; there not being at that time a sufficient number of frigates to convoy and secure the merchantmen. We seemed to be masters at sea, and yet were great losers there.

Affairs went much better on the Rhine. The imperial army, commanded by the Duke of Lorrain, took Mentz, which the French had entered after they took Philipsburg ; the siege was slow and long, but prosperous in its conclusion ; and by this means Franconia, which before lay exposed, was now covered. The elector of Brandenburg came down with an army, and cleared the archbishopric of Cologne, which was before possessed by French garrisons. Keizerwart and Bonn held him some time ; but the rest were soon taken. So now the Rhine was open all up to Mentz. Nothing passed in Flanders, where prince Waldeck commanded : and the campaign ended without any misfortunes on that side.

I now return to the affairs of England during the recess. The clergy generally took the oaths, though with too many reservations and distinctions, which laid them open to severe censures, as if they had taken them against their conscience. The king was suspected by them by reason of the favour shewn to dissenters, but chiefly for his abolishing episcopacy in Scotland, and his consenting to the setting up presbytery there. This gave some credit to the reports that were with great industry infused into many of them of the king's coldness at best, if not his aversion, to the church of England. The leading men in both universities, chiefly Oxford, were possessed with this ; and it began to have very ill effects over all England. Those who did not carry this so far as to think, as some said they did, that the church was to be pulled down, yet said a latitudinarian party was likely to prevail and to engross all preferments. These were thought less bigoted to outward ceremonies ; so now it was generally spread about that men zealous for the church would be neglected, and that those who were more indifferent in such matters would be preferred. Many of the latter had managed the controversies with the church of Rome with so much clearness and with that success, that the papists, to revenge themselves, and to blast those whom they considered as their most formidable enemies, had cast aspersions on them as Socinians, and as men that denied all mysteries. And now some angry men at Oxford, who apprehended that those divines were likely to be most considered in this reign, took up the same method of calumny, and began to treat them as Socinians. The earl of Clarendon and some of the bishops, who had already incurred the suspension for not taking the oaths to the government, took much ill-natured pains to spread these slanders. Six bishoprics happened to fall within this year : Salisbury, Chester, Bangor, Worcester, Chichester, and Bristol ; so that the king named six bishops within six months. And the persons promoted to these sees were generally men of those principles. The proceedings in Scotland cast a great load on the king ; he could not hinder the change of the government of that church without putting all his affairs in great disorder. The episcopal party went almost universally into king James's interests ; so that the presbyterians were the only party that the king had in that kingdom. The king did indeed assure us, and myself in particular, that he would restrain and moderate the violence of the presbyterians. Lord Melvill did also promise the same thing very solemnly ; and at first he seemed much set upon it. But when he saw so great a party formed against himself ; and, since many of the presbyterians inclined to favour them, and to set themselves in an opposition to the court, he thought it was the king's interest, or at least his own, to engage that party entirely ; and he found nothing could do that so effectually as to abandon the ministers of the episcopal persuasion to their fury. He set up the earl of Crawford as the head of his party, who was passionate in his temper, and was out of measure zealous in his principles : he was chosen to be the president of the parliament. He received and encouraged all the complaints that were made of the episcopal ministers ; the convention, when they had passed the votes declaring the king and queen, ordered a proclamation to be

viscount Dundee, was a frank, talented, noble-minded, well"—and immediately after expired. He died July man. After he had received his death wound at Killie- 27th, 1689.—Dalrymple's Memoirs ; Memoirs of Vis- cranny, he asked how the victory was inclining? and, count Dundee, the Highland Clans, and the Glencoe being told "All is well"—"Then," he replied, "I am Massacre.

read the next Sunday in all the churches of Edinburgh, and in all the other churches in the kingdom by a certain prefixed day ; but which was so near at hand that it was scarcely possible to lay proclamations all round the nation within the time ; and it was absolutely impossible for the clergy to meet together, and come to any resolution among themselves. For the most part the proclamations were not brought to the ministers till the morning of the Sunday in which they were ordered to be read ; so this having the face of a great change of principles, many could not on the sudden resolve to submit to it ; some had not the proclamations brought to them till the day was past ; many of these read it the Sunday following. Some of those who did not think fit to read the proclamation, yet obeyed it ; and continued, after that, to pray for the king and queen. Complaints were brought to the council of all those who had not read, nor obeyed, the proclamation ; and they were in a summary way deprived of their benefices. In the executing this, lord Crawford shewed much eagerness and violence. Those who did not read the proclamation on the day appointed had no favour, though they did it afterwards. And upon any word that fell from them, either in their extemporary prayers or sermons, that shewed disaffection to the government, they were also deprived. All these things were published up and down England, and much aggravated ; and raised the aversion that the church had to the presbyterians so high, that they began to repent their having granted a toleration to a party that, where they prevailed, showed so much fury against those of the episcopal persuasion. So that such of us as had laboured to excuse the change that the king was forced to consent to, and had promised in his name great moderation towards our friends in that kingdom, were much out of countenance, when we saw the violence with which matters were carried there. These things concurred to give the clergy such ill impressions of the king that we had little reason to look for success in a design that was then preparing for the convocation, for whom a summons was issued out to meet during the next session of parliament.

It was told in the history of the former reign that the clergy did then express an inclination to come to a temper with relation to the presbyterians, and such other dissenters as could be brought into a comprehension with the church ; the bishops had mentioned it in their petition to king James, for which they were tried ; and his present majesty had promised to endeavour an union between the church and the dissenters, in that declaration that he brought over with him ; but it seemed necessary to prepare and digest that matter carefully, before it should be offered to the convocation. Things of such a nature ought to be judged of by a large number of men, but must be prepared by a smaller number well chosen ; yet it was thought a due respect to the church to leave the matter wholly in the hands of the clergy. So, by a special commission under the great seal, ten bishops and twenty divines were empowered to meet, and prepare such alterations in the Book of Common Prayer and Canons as might be fit to lay before the convocation. This was become necessary, since by the submission which the clergy in convocation made to king Henry the Eighth, which was confirmed in parliament, they bound themselves not to attempt any new canons without obtaining the king's leave first, and that under the pains of a premunire. It was looked on, therefore, as the properst way, to obtain the king's leave to have a scheme of the whole matter put in order by a number of bishops and divines ; great care was taken to name these so impartially, that no exceptions could lie against any of them ; they upon this sat closely to it for several weeks ; they had before them all the exceptions that either the puritans before the war, or the nonconformists since the restoration, had made to any part of the church service ; they had also many propositions and advices that had been offered, at several times, by many of our bishops and divines upon those heads ; matters were well considered and freely and calmly debated ; and all was digested into an entire correction of every thing that seemed liable to any just objection. We had some very rigid, as well as some very learned, men among us ; though the most rigid either never came to our meetings, or they soon withdrew from us, declaring themselves dissatisfied with every thing of that nature : some telling us plainly that they were against all alterations whatsoever. They thought too much was already done for the dissenters in the toleration that was granted them ; but that they would do nothing to make that still easier. They said further that the altering the customs and constitution of our church,

to gratify a peevish and obstinate party, was likely to have no other effect on them but to make them more insolent: as if the church, by offering these alterations, seemed to confess that she had been hitherto in the wrong. They thought this attempt would divide us among ourselves, and make our people lose their esteem for the liturgy, if it appeared that it wanted correction. They also excepted to the manner of preparing matters by a special commission, as limiting the convocation, and imposing upon it; and to load this with a word of an ill sound, they called this a new ecclesiastical commission. But, in answer to all this, it was said, that if by a few corrections or explanations we offered all just satisfaction to the chiet objections of the dissenters, we had reason to hope that this would bring over many of them, at least of the people, if not of the teachers among them; or, if the prejudices of education wrought too strongly upon the present age, yet, if some more sensible objections were put out of the way, we might well hope that it would have a great effect on the next generation. If these condescensions were made so as to own, in the way of offering them, that the non-conformists had been in the right, that might turn to the reproach of the church; but, such offers being made only in regard to their weakness, the reproach fell on them: as the honour accrued to the church, who showed herself a true mother by her care to preserve her children. It was not offered that the ordinary posture of receiving the sacrament kneeling should be changed: that was still to be the received and favoured posture; only such as declared they could not overcome their scruples in that matter were to be admitted to it in another posture. Ritual matters were of their own nature indifferent, and had been always declared to be so; all the necessity of them arose only from the authority in church and state that had enacted them. Therefore it was an unreasonable stiffness to deny any abatement, or yielding in such matters, in order to the healing the wounds of our church. Great alterations had been made in such things in all the ages of the church. Even the church of Rome was still making some alterations in her rituals. And changes had been made among ourselves, often since the reformation, in king Edward's, queen Elizabeth's, king James's, and king Charles the Second's reigns. These were always made upon some great turn: critical times being the most proper for designs of that kind. The toleration now granted seemed to render it more necessary than formerly to make the terms of communion with the church as large as might be, that so we might draw over to us the greater number from those who might now leave us more safely; and therefore we were to use the more care in order to gaining of them. And, as for the manner of preparing these overtures, the king's supremacy signified little if he could not appoint a select number to consider of such matters as he might think fit to lay before the convocation. This did no way break in upon their full freedom of debate; it being free to them to reject, as well as to accept of, the propositions that should be offered to them. But while men were arguing this matter on both sides, the party that was now at work for king James took hold of this occasion to inflame men's minds. It was said the church was to be pulled down, and presbytery was to be set up: that all this now in debate was only intended to divide and distract the church, and to render it by that means both weaker and more ridiculous, while it went off from its former grounds in offering such concessions. The universities took fire upon this, and began to declare against it, and against all that promoted it, as men that intended to undermine the church. Severe reflections were cast on the king, as being in an interest contrary to the church; for the church was as the word, given out by the jacobite party, under which they thought they might more safely shelter themselves. Great canvassings were every where in the elections of convocation men; a thing not known in former times; so that it was soon very visible that we were not in a temper cool or calm enough to encourage the further prosecuting such a design.

When the convocation was opened, the king sent them a message by the earl of Nottingham, assuring them of his constant favour and protection, and desiring them to consider such things, as by his order should be laid before them, with due care and an impartial zeal for the peace and good of the church. But the lower house of convocation expressed a resolution not to enter into any debates with relation to alterations; so that they would take no notice of the second part of the king's message; and it was not without difficulty carried to make a decent address to the king, thanking him for his promise of protection. But

because in the draught which the bishops sent them they acknowledged the protection that the protestant religion in general, and the church of England in particular, had received from him, the lower house thought that this imported their owning some common union with the foreign protestants ; so they would not agree to it. There was at this time but a small number of bishops in the upper house of convocation, and they had not their metropolitan with them ; so they had not strength nor authority to set things forward. Therefore they advised the king to suffer the session to be discontinued. And thus, seeing they were in no disposition to enter upon business, they were kept from doing mischief by prorogations for a course of ten years. This was in reality a favour to them ; for, ever since the year 1662, the convocation had indeed continued to sit, but to do no business ; so that they were kept at no small charge in town to do nothing, but only to meet and read a Latin litany. It was therefore an ease to be freed from such an attendance to no purpose. The ill reception that the clergy gave the king's message raised a great and just outcry against them ; since all the promises made in king James's time were now so entirely forgotten.

But there was a very happy direction of the providence of God observed in this matter. The jacobite clergy, who were then under suspension, were designing to make a schism in the church, whensoever they should be turned out and their places should be filled up by others. They saw it would not be easy to make a separation upon a private and personal account, they therefore wished to be furnished with more specious pretences ; and, if we had made alterations in the Rubric and other parts of the Common Prayer, they would have pretended that they still stuck to the ancient church of England, in opposition to those who were altering it and setting up new models ; and, as I do firmly believe that there is a wise providence that watches upon human affairs and directs them, chiefly those that relate to religion ; so I have with great pleasure observed this in many instances relating to the revolution. And upon this occasion I could not but see that the jacobites among us, who wished and hoped that we should have made those alterations which they reckoned would have been of great advantage for serving their ends, were the instruments of raising such a clamour against them, as prevented their being made. For by all the judgments we could afterwards make, if we had carried a majority in the convocation for alterations, they would have done us more hurt than good.

I now turn to a more important, as well as a more troublesome, scene. In winter a session of parliament met full of jealousy and ill humour. The ill conduct of affairs was imputed chiefly to the lord Halifax ; so the first attack was made on him. The duke of Bolton made a motion in the house of lords for a committee to examine who had the chief hand in the severities and executions in the end of king Charles's reign, and in the quo warrantos, and the delivering up the charters ; the enquiry lasted some weeks, and gave occasion to much heat ; but nothing appeared that could be proved, upon which votes or addresses could have been grounded ; yet the lord Halifax having during that time concurred with the ministry in council, he saw it was necessary for him to withdraw now from the ministers, and quit the court. And soon after he reconciled himself to the Tories and became wholly theirs ; he opposed every thing that looked favourably towards the government, and did upon all occasions serve the jacobites, and protect the whole party. But the Whigs began to lose much of the king's good opinion by the heat that they showed in both houses against their enemies, and by the coldness that appeared in every thing that related to the public, as well as to the king in his own particular. He expressed an earnest desire to have the revenue of the crown settled on him for life. He said he was not a king till that was done, without that the title of a king was only a pageant. And he spoke of this with more than ordinary vehemence ; so that sometimes he said he would not stay and hold an empty name, unless that was done ; he said once to myself he understood the good of a commonwealth, as well as of a kingly government : and it was not easy to determine which was best ; but he was sure the worst of all governments was that of a king without treasure and without power. But a jealousy was now infused into many, that he would grow arbitrary in his government, if he once had the revenue ; and would strain for a high stretch of prerogative as soon as he was out of difficulties and necessities. Those of the Whigs who had lived some years at Amsterdam, had got together a great many stories, that went about

the City, of his sullenness and imperious way of dictating ; the Scotch, who were now come up to give an account of the proceedings in parliament, set about many things that heightened their apprehensions. One Simpson, a Scotch presbyterian, was recommended to the earl of Portland as a man whom he might trust, who would bring him good intelligence ; so he was often admitted, and was entertained as a good spy ; but he was in a secret confidence with one Nevill Payne, the most active and dexterous of all king James's agents, who had indeed lost the reputation of an honest man entirely, and yet had such arts of management that even those who knew what he was were willing to employ him. Simpson and he were in a close league together, and he discovered so much of their most secret intelligence to Simpson, that he might carry it to the earl of Portland, as made him pass for the best spy the court had. When he had gained great credit, he made use of it to infuse into the earl of Portland jealousies of the king's best friends ; and as the earl of Portland hearkened too attentively to these, so by other hands it was conveyed to some of them, that the court was now become jealous of them, and was seeking evidence against them.

Sir James Montgomery was easily possessed with these reports, and he and some others, by Payne's management, fell a treating with king James's party in England ; they demanded an assurance for the settlement of presbytery in Scotland, and to have the chief posts of the government shared among them. Princes in exile are apt to grant every thing that is asked of them : for they know that if they are restored they will have everything in their power ; upon this they entered into a close treaty for the way of bringing all this about. At first they only asked money for furnishing themselves with arms and ammunition ; but afterwards they insisted on demanding three thousand men to be sent over from Dunkirk ; because, by duke Schomberg's being posted in Ulster, their communication with Ireland was cut off. In order to the carrying on this design, they reconciled themselves to the duke of Queensbury, and the other lords of the episcopal party ; and on both sides it was given out that this union of those who were formerly such violent enemies, was only to secure and strengthen their interest in parliament, the episcopal party pretending, that since the king was not able to protect them, they, who saw themselves marked out for destruction, were to be excused for joining with those who could secure them. Simpson brought an account of all this to the earl of Portland, and was pressed by him to find out witnesses to prove it against Montgomery : he carried this to them, and told them that the whole business was discovered, and that great rewards were offered to such as would merit them by swearing against them. With this they alarmed many of their party, who did not know what was at bottom, and thought that nothing was designed but an opposition to lord Melyll and lord Stair ; and they were possessed with a fear that a new bloody scene of sham plots and suborned witnesses was to be opened. And when it began to be whispered about that they were in treaty with king James, that appeared to be so little credible, that it began to be said by some discontented men, what could be expected from a government that was so soon contriving the ruin of its best friends ? Some feared that the king himself might too easily receive such reports ; and that the common practices of ministers, who study to make their masters believe that all their own enemies are likewise his, were likely to prevail in this reign as much as they had formerly done. Montgomery came to have great credit with some of the whigs in England, particularly with the earl of Monmouth and the duke of Bolton ; and he employed it all to persuade them not to trust the king, and to animate them against the earl of Portland ; this wrought so much, that many were disposed to think they could have good terms from king James ; and that he was now so convinced of former errors, that they might safely trust him. The earl of Monmouth let this out to myself twice, but in a strain that looked like one who was afraid of it, and who endeavoured to prevent it ; but he set forth the reasons for it with great advantage, and those against it very faintly. Matters were trusted to Montgomery and Payne ; and Ferguson was taken into it, as a man that naturally loved to embroil things. So a design was managed, first to alienate the city of London so entirely from the king, that no loans might be advanced on the money bills ; which, without credit upon them, could not answer the end for which they were given. It was set about that king James would give a full indemnity for all that was

past; and that, for the future, he would separate himself entirely from the French interest, and be contented with a secret connivance at those of his own religion. It was said he was weary of the insolence of the French court, and saw his error in trusting to it so much as he had done. This corrupted party had gone so far, that they seemed to fancy that the restoring him would be not only safe but happy to the nation. I confess it was long before I could let myself think that the matter was gone so far; but I was at last convinced of it.

I received a letter from an unknown hand, with a direction how to answer it: the substance of it was, that he could discover a plot deeply laid against the king, if he might be assured not to be made a witness, and to have his friends, who were in it, pardoned. By the king's order, I promised the first; but an indefinite promise of pardon was too much to ask; he might, as to that, trust to the king's mercy. Upon this he came to me, and I found he was Montgomery's brother. He told me a treaty was settled with king James, articles were agreed on, and an invitation was subscribed, by the whole cabal, to king James, to come over, which was to be sent to the court of France; both because the communication was easier and less watched when it went through Flanders than with Ireland, and to let the court see how strong a party he had, and by that means to obtain the supplies and force that was desired. He said he saw the writing and some hands to it; but he knew many more were to sign it; and he undertook to put me in a method to seize on the original paper. The king could not easily believe the matter had gone so far; yet he ordered the earl of Shrewsbury to receive such advices as I should bring him, and immediately to do what was proper; so, a few days after this, Montgomery told me one Williamson was that day gone to Dover with the original invitation; I found the earl of Shrewsbury inclined enough to suspect Williamson. He had for some days solicited a pass for Flanders, and had got some persons, of whom it was not proper to show a suspicion, to answer for him. So one was sent post after him, with orders to seize him in his bed, and to take his clothes and portmanteau from him, which were strictly examined; but nothing was found. Yet upon the news of this the party was grievously affrighted, but soon recovered themselves; the true secret of which was afterwards discovered. Simpson was, it seems, to go over with Williamson; but first to ride to some houses that were in the way to Dover; whereas the other went directly in the stage-coach. It was thought safest for Simpson to carry these papers; for there were many different invitations, as they would not trust their hands to one common paper. Simpson came to the house at Dover, where Williamson was in the messenger's hands; thereupon he went away immediately to Deal, and hired a boat, and got safe to France with his letters. Montgomery finding that nothing was discovered by the way which he had directed me to, upon that fancied he would be despised by us, and perhaps suspected by his own side, and went over soon after and turned papist: but I know not what became of him afterwards. The fear of this discovery soon went off; Simpson came back with large assurances; and 12,000*l.* were sent to the Scotch, who undertook to do great matters. All pretended discoveries were laughed at, and looked on as the fictions of the court; and upon this the city of London was generally possessed with a very ill opinion of the king. The house of commons granted the supplies that were demanded for the reduction of Ireland, and for the quota to which the king was obliged by his alliances; and they continued the gift of the revenue for another year. But one great error was committed by the court in accepting remote funds; whereby the interest of the money then advanced on a fund, payable at the distance of some years, did not only eat up a great deal of the sum, but seemed so doubtful, that great premiums were to be offered to those who advanced money upon a security, which was thought very contingent; since few believed that the government would last so long. So here was a shew of great supplies, which yet brought not in the half of what they were estimated at.

The tories seeing the whigs grow sullen, and that they would make no advances of money, began to treat with the court, and promised great advances, if the parliament might be dissolved and a new one be summoned. Those propositions came to be known; so the house of commons prepared a bill, by which they hoped to have made sure of all future parliaments: in it they declared that corporations could not be forfeited, nor their charters surrendered; and they enacted, that all mayors and recorders who had been concerned in

the private delivering up of charters, without the consent of the whole body, and who had done that in a clandestine manner before the judgment that was given against the charter of London, should be turned out of all corporations, and be incapable of bearing office in them for six years. This was opposed in the house of commons by the whole strength of the tory party; for they saw the carrying it was the total ruin of their interest through the whole kingdom. They said a great deal against the declaratory part; but whatsoever might be in that, they said, since the thing had been so universal, it seemed hard to punish it with such severity; it was said that, by this means, the party for the church would be disgraced, and that the corporations would be cast into the hands of dissenters. And now both parties made their court to the king: the whigs promised every thing that he desired, if he would help them to get this bill passed; and the tories were not wanting in their promises, if the bill should be stopped and the parliament dissolved. The bill was carried in the house of commons by a great majority; when it was brought up to the lords, the first point in debate was upon the declaratory part, whether a corporation could be forfeited or surrendered? Holt and two other judges were for the affirmative, but all the rest were for the negative. No precedents for the affirmative were brought higher than the reign of king Henry the Eighth, in which the abbeys were surrendered; which was at that time so great a point of state, that the authority of these precedents seemed not clear enough for regular times. The house was so equally divided, that it went for the bill only by one voice; after which, little doubt was made of the passing the act. But now the applications of the tories were much quickened; they made the king all possible promises: and the promoters of the bill saw themselves exposed to the corporations, which were to feel the effects of this bill so sensibly, that they made as great promises on their part. The matter was now at a critical issue: the passing the bill put the king and the nation in the hands of the whigs; as the rejecting it, and dissolving the parliament upon it, was such a trusting to the tories, and such a breaking with the whigs, that the king was long in suspense what to do.

He was once very near a desperate resolution: he thought he could not trust the tories, and he resolved he would not trust the whigs; so he fancied the tories would be true to the queen, and confide in her, though they would not in him. He therefore resolved to go over to Holland, and leave the government in the queen's hands; so he called the marquis of Carmarthen, with the earl of Shrewsbury and some few more, and told them he had a convoy ready, and was resolved to leave all in the queen's hands; since he did not see how he could extricate himself out of the difficulties into which the animosities of parties had brought him: they pressed him vehemently to lay aside all such desperate resolutions, and to comply with the present necessity. Much passion appeared among them: the debate was so warm, that many tears were shed; in conclusion, the king resolved to change his first design into another better resolution of going over in person to put an end to the war in Ireland. This was told me some time after by the earl of Shrewsbury; but the queen knew nothing of it till she had it from me: so reserved was the king to her, even in a matter that concerned her so nearly. The king's design of going to Ireland came to be seen by the preparations that were ordered; but a great party was formed in both houses to oppose it. Some did really apprehend the air of Ireland would be fatal to so weak a constitution; and the jacobites had no mind that king James should be so much pressed as he would probably be if the king went against him in person. It was by concert proposed in both houses on the same day to prepare an address to the king against this voyage; so the king, to prevent that, came the next day and prorogued the parliament; and that was soon after followed by a dissolution.

This session had not raised all the money that was demanded for the following campaign, so it was necessary to issue out writs immediately for a new parliament. There was a great struggle all England over in elections; but the corporation bill did so highly provoke all those whom it was to have disgraced, that the tories were by far the greater number in the new parliament. One thing was a part of the bargain that the tories had made, that the lieutenancy of London should be changed; for, upon the king's coming to the crown, he had given a commission, out of which they were all excluded; which was such a mortification to them, that they said they could not live in the City with credit, unless some of them were

again brought into that commission. The king recommended it to the bishop of London, to prepare a list of those who were known to be churchmen, but of the more moderate, and of such as were liable to no just exception; that so the two parties in the city might be kept in a balance. The bishop brought a list of the most violent tories in the City, who had been engaged in some of the worst things that passed in the end of king Charles's reign. A committee of council was appointed to examine the list; but it was so named that they approved of it. This was done to the great grief of the whigs, who said that the king was now putting himself in his enemies' hands; and that the arms of the City were now put under a set of officers, who, if there was a possibility of doing it without hazard, would certainly use them for king James. This matter was managed by the marquis of Carmarthen and the earl of Nottingham; but opposed by the earl of Shrewsbury, who was much troubled at the ill conduct of the whigs, but much more at this great change in the king's government. The elections of parliament went generally for men who would probably have declared for king James, if they could have known how to manage matters for him. The king made a change in the ministry to give them some satisfaction; the earls of Monmouth and Warrington were both dismissed; other lesser changes were made in inferior places; so that whig and tory were now pretty equally mixed; and both studied to court the king, by making advances upon the money bills.

The first great debate arose in the house of lords, upon a bill that was brought in acknowledging the king and queen to be their rightful and lawful sovereigns, and declaring all the acts of the last parliament to be good and valid. The first part passed with little contradiction, though some excepted to the words rightful and lawful as not at all necessary. But the second article bore a long and warm debate. The tories offered to enact that these should be all good laws for the time to come, but opposed the doing it in the declaratory way. They said it was one of the fundamentals of our constitution that no assembly should be called a parliament, unless it was called and chosen upon the king's writ. On the other hand, it was said, that whatsoever tended to the calling the authority of that parliament in question, tended likewise to the weakening of the present government, and brought the king's title into question. A real necessity upon such extraordinary occasions must supersede forms of law: otherwise the present government was under the same nullity. Forms were only rules for peaceable times; but, in such a juncture, when all that had a right to come, either in person, or by their representatives, were summoned and freely elected; and when, by the king's consent, the convention was turned to a parliament, the essentials, both with relation to king and people, were still maintained in the constitution of that parliament. After a long debate, the act passed in the house of lords, with this temper, declaring and enacting that the acts of that parliament were, and are, good and valid; many lords protesting against it: at the head of whom was the earl of Nottingham, notwithstanding his great office at court. It was expected that great and long debates should have been made in the house of commons upon this act. But, to the wonder of all people, it passed in two days in that house, without any debate or opposition. The truth was, the tories had resolved to commit the bill; and, in order to that, some trifling exceptions were made to some words that might want correction; for bills are not committed unless some amendments are offered; and, when it was committed, it was then resolved to oppose it. But one of them discovered this too early, for he questioned the legality of the convention, since it was not summoned by writ. Somers, then solicitor general, answered this with great spirit: he said, if that was not a legal parliament, they who were then met, and had taken the oaths enacted by that parliament, were guilty of high treason: the laws repealed by it were still in force, so they must presently return to king James: all the money levied, collected, and paid, by virtue of the acts of that parliament, made every one that was concerned in it highly criminal. This he spoke with much zeal, and such an ascendant of authority, that none was prepared to answer it; so the bill passed without any more opposition. This was a great service, done in a very critical time, and contributed not a little to raise Somers's character.

The speaker of the house of commons, sir John Trevor, was a bold and dexterous man, and knew the most effectual ways of recommending himself to every government. He had

been in great favour in king James's time, and was made master of the rolls by him ; and, if lord Jefferies had stuck at anything, he was looked on as the man likeliest to have had the great seal. He now got himself to be chosen speaker, and was made first commissioner of the great seal. Being a tory in principle, he undertook to manage that party, provided he was furnished with such sums of money as might purchase some votes ; and by him began the practice of buying off men, in which hitherto the king had kept to stricter rules\*. I took the liberty once to complain to the king of this method. He said, he hated it as much as any man could do ; but he saw it was not possible, considering the corruption of the age, to avoid it, unless he would endanger the whole.

The house of commons gave the king the customs for five years, which they said made it a surer fund for borrowing money upon, than if they had given it for life : the one was subject to accidents, but the other was more certain. They also continued the other branches of the revenue for the same number of years. It was much pressed to have it settled for life ; but it was taken up as a general maxim, that a revenue for a certain and short term was the best security that the nation could have for frequent parliaments. The king did not like this. He said to myself, why should they entertain a jealousy of him, who came to save their religion and liberties, when they trusted king James so much, who intended to destroy both ? I answered, they were not jealous of him, but of those who might succeed him ; and if he would accept of the gift for a term of years, and settle the precedent, he would be reckoned the deliverer of succeeding ages, as well as of the present ; and it was certain that king James would never have run into those counsels that ruined him, if he had obtained the revenue only for a short term ; which probably would have been done, if Argyle's and Monmouth's invasions had not so overawed the house, that it would then have looked like being in a conspiracy with them to have opposed the king's demand. I saw the king was not pleased, though he was persuaded to accept of the grant thus made him. The commons granted a poll bill, with some other supplies, which they thought would answer all the occasions of that year ; but as what they gave did not quite come up to what was demanded, so when the supply was raised, it came far short of what they estimated it at. So that there were great deficiencies to be taken care of in every session of parliament, which ran up every year, and made a great noise, as if the nation was through mismanagement running into a great arrear. An act passed in this session, putting the administration in the queen, during the king's absence out of the kingdom, but with this proviso, that the orders which the king sent should always take place. In all this debate the queen seemed to take no notice of the matter, nor of those who had appeared for it, or against it.

\* Sir John Trevor was a native of Denbighshire. His mother was aunt to lord chancellor Jeffreys ; and he is suspected to have been more intimate with his cousin's wife than either her husband or morality approved. Like Jeffreys, his career commenced humbly ; he was clerk to a relative, a lawyer in the Temple, and became an adept in "the knavish part of the law," which rendered him of singular service to the gamesters whose society he frequented. The two cousins appear to have been equally able, and equally corrupt. Trevor was knighted by Charles the Second in 1671 ; was made solicitor-general and master of the rolls on the death of sir John Churchill ; and a privy councillor in 1688. Jeffreys, at length, appears to have become jealous of Trevor's distinction ; but the latter not only baffled his efforts to humble him, but would probably have supplanted the chancellor, if James had not abdicated the throne. Even then Trevor remained in favour ; the mastership of the rolls was indeed taken from him for a short time, but he was continued speaker of the house of commons ; and presided as chief commissioner of the great seal until Somers was elevated to the chancellorship. The most painful disgrace that ever fell upon him was for accepting 1000*l.* from the city of London, to patronise a bill to satisfy the orphanage debts. After sitting for six hours, and listening to the vituperation of the members

of the house over which he presided, he actually had to put the question against himself, and had to announce the gratifying vote that "Sir John Trevor was guilty of corrupt bribery." He never sat again as speaker ; yet he was never impeached, which enabled some wit to observe of him, as he squinted miserably, that "Justice was blind, but Bribery only squints." Tillotson and he were not friends ; meeting that prelate near the house of lords, he audibly muttered, "I hate a fanatic in lawn sleeves," "I hate a knave in any sleeves," retorted the bishop. Trevor was notoriously penurious, of which the following is an instance. One day, when taking his wine, the footman ushered a relative into the room. "You rascal," said Trevor to the servant, "how dare you bring my cousin Roderic Lloyd, esq., prothonotary of North Wales, marshal to baron Price, and so forth, and so forth, up my *back stairs* ? Take my cousin, Roderic Lloyd, esq., prothonotary of North Wales, marshal to baron Price, and so forth, and so forth—take him instantly back down my *back stairs*, and bring him up my *front stairs*." Remonstrance was vain ; but, whilst the *grande entrée* was being effected, Trevor removed the wine and glasses. He died at his house in Clement's Lane, during the year 1717.—York's Royal Tribes of Wales ; North's Life of L. K. Guildford ; Woolrych's Life of Jeffreys.

The house of commons, to the great grief of the whigs, made an address to the king, thanking him for the alterations he had made in the lieutenancy of London.

But the greatest debate in this session was concerning an abjuration of king James: some of the tories were at first for it, as were all the whigs; the clergy were excepted out of it, to soften the opposition that might be made. But still the main body of the tories declared they would never take any such oath; so they opposed every step that was made in it, with a great copiousness of long and vehement arguing. They insisted much on this, that when the government was settled, oaths were made to be the ties of the subject to it, and that all new impositions were a breach made on that which might be called the original contract of the present settlement: things of that kind ought to be fixed and certain, and not mutable and endless: by the same reason that the abjuration was now proposed, another oath might be prepared every year; and every party that prevailed in parliament would bring in some discriminating oath, or test, such as could only be taken by those of their own side: and thus the largeness and equality of government would be lost and contracted into a faction. On the other side, it was said, that this was only intended to be a security to the government during the war; for in such a time it seemed necessary, that all who were employed by the government should give it all possible security: it was apparent that the comprehensive words in the oaths of allegiance had given occasion to much equivocation; many who had taken them having declared, which some had done in print, that they considered themselves as bound by the oaths, only while the king continued in peaceable possession, but not to assist or support his title if it was attacked or shaken: it was therefore necessary that men in public trusts should be brought under stricter ties. The abjuration was debated in both houses at the same time. I concurred with those that were for it. The whigs pressed the king to set it forward: they said, every one who took it would look on himself as *impardonable*, and so would serve him with the more zeal and fidelity; whereas those that thought the right to the crown was still in king James, might perhaps serve faithfully as long as the government stood firm; but as they kept still measures with the other side, to whom they knew they would be always welcome, so they would never act with that life and zeal which the present state of affairs required. At the same time, the tories were as earnest in pressing the king to stop the further progress of those debates: much time was already lost in them; and it was evident that much more must be lost, if it was intended to carry it on; since so many branches of this bill, and incidents that arose upon the subject of it, would give occasion to much heat and wrangling: and it was a doubt, whether it would be carried, after all the time that must be bestowed on it, or not: those who opposed it would grow sullen, and oppose every thing else that was moved for the king's service: and, if it should be carried, it would put the king again into the hands of the whigs, who would immediately return to their old practices against the prerogative; and it would drive many into king James's party, who might otherwise stick firm to the king, or at least be neutrals. These reasons prevailed with the king to order an intimation to be given in the house of commons, that he desired they would let that debate fall, and go to other matters that were more pressing.

This gave a new disgust to the whigs, but was very acceptable to the tories; and it quickened the advances of money upon the funds that were given: it had indeed a very ill effect abroad: for both friends and enemies looked on it as a sign of a great decline in the king's interest with his people: and the king's interposing to stop further debates in the matter, was represented as an artifice only to save the affront of its being rejected. The earl of Shrewsbury was at the head of those who pressed the abjuration most; so, upon this change of counsels, he thought he could not serve the king longer with reputation or success. He saw the whigs, by using the king ill, were driving him into the tories; and he thought these would serve the king with more zeal, if he left his post. The credit that the marquis of Carmarthen had gained was not easy to him; so he resolved to deliver up the seals. I was the first person to whom he discovered this; and he had them in his hands when he told me of it; yet I prevailed with him not to go that night: he was in some heat. I had no mind that the king should be surprised by a thing of that kind; and I was afraid that the earl of Shrewsbury might have said such things to him, as should have provoked

him too much : so I sent the king word of it. It troubled him more than I thought a thing of that sort could have done : he loved the earl of Shrewsbury, and apprehended that his leaving his service at this time might alienate the whigs more entirely from him : for now they who thought him before of too cold a temper, when they saw how firm he was, came to consider and trust him more than ever. The king sent Tillotson, and all those who had most credit with the earl, to divert him from his resolution ; but all was to no purpose. The agitation of mind that this gave him threw him into a fever, which almost cost him his life. The king pressed him to keep the seals till his return from Ireland, though he should not act as secretary ; but he could not be prevailed on\*. The debate for the abjuration lasted longer in the house of lords : it had some variation from that which was proposed in the house of commons ; and was properly an oath of a special fidelity to the king, in opposition to king James : the tories offered, in bar to this, a negative engagement against assisting king James, or any of his instruments, knowing them to be such, with severe penalties on such as should refuse it. In opposition to this, it was said, this was only an expedient to secure all king James's party, whatever should happen ; since it left them the entire merit of being still in his interests, and only restrained them from putting any thing to hazard for him. The house was so near an equality in every division, that what was gained in one day was lost in the next : and by the heat and length of those debates, the session continued till June. A bill projected by the tories passed, relating to the city of London, which was intended to change the hands that then governed it : but through the haste or weakness of those who drew it, the court of aldermen was not comprehended in it : so, by this act, the government of the city was fixed in their hands : and they were generally whigs. Many discoveries were made of the practices from St. Germain's and Ireland ; but few were taken up upon them : and those were too inconsiderable to know more than that many were provided with arms and ammunition, and that a method was projected for bringing men together upon a call. And indeed things seemed to be in a very ill disposition towards a fatal turn.

The king was making all possible haste to open the campaign, as soon as things could be ready for it, in Ireland. The day before he set out he called me into his closet. He seemed to have a great weight upon his spirits, from the state of his affairs, which was then very cloudy. He said, for his own part, he trusted in God, and would either go through with his business, or perish in it : he only pitied the poor queen, repeating that twice with great tenderness, and wished that those who loved him would wait much on her, and assist her : he lamented much the factions and the heats that were among us, and that the bishops and clergy, instead of allaying them, did rather foment and inflame them : but he was pleased to make an exception of myself : he said, the going to a campaign was naturally no unpleasant thing to him : he was sure he understood that better than how to govern England : he added, that though he had no doubt nor mistrust of the cause he went on, yet the going against king James, in person, was hard upon him, since it would be a vast trouble, both to himself and to the queen, if he should be either killed or taken prisoner : he desired my prayers, and dismissed me, very deeply affected with all he had said.

I had a particular occasion to know how tender he was of king James's person, having learned an instance of it from the first hand : a proposition was made to the king, that a third-rate ship, well manned by a faithful crew, and commanded by one who had been well with king James, but was such a one as the king might trust, should sail to Dublin, and declare for king James. The person who told me this, offered to be the man that should carry the message to king James (for he was well known to him), to invite him to come on board ; which he seemed to be sure he would accept of ; and, when he was aboard, they should sail away with him, and land him either in Spain or Italy, as the king should desire ; and should have twenty thousand pounds to give him, when he should be set ashore. The king thought it was a well formed design, and likely enough to succeed, but would not hearken to it. He said he would have no hand in treachery : and king James would cer-

\* It would seem that the reason of the earl of Shrewsbury's resignation was the disapproval of the bill for abjuring the Stuarts. No persuasions availings to make him retain office, he sent the seals to the king by the hands of lord Portland, June 3, 1690.—Cox's Shrewsbury Correspondence.

tainly carry some of his guards and of his court aboard with him: and probably they would make some opposition: and in the struggle some accident might happen to king James's person; in which he would have no hand. I acquainted the queen with this: and I saw in her a great tenderness for her father's person: and she was much touched with the answer the king had made.

He had a quick passage to Ireland, where matters had been kept in the state they were in all this winter: Charlemont was reduced, which was the only place in Ulster that was then left in king James's hands. The king had a great army; there were about thirty-six thousand men, all in good plight, full of heart and zeal. He lost no time, but advanced in six days from Belfast, where he landed, to the river of Boyne, near Drogheda. King James had abandoned the passes between Newry and Dundalk, which are so strait for some miles, that it had been easy to have disputed every inch of ground. King James and his court were so much lifted up with the news of the debates in parliament, and of the distractions of the city of London, that they flattered themselves with false hopes that the king durst not leave England, nor venture over to Ireland. He had been six days come before king James knew anything of it. Upon that, he immediately passed the Boyne, and lay on the south side of it. His army consisted of twenty-six thousand men; his horse were good; and he had five thousand French foot, for whom he had sent over in exchange five thousand Irish foot. He held some councils of war to consider what was fit to be done; whether he should make a stand there, and put all to the decision of a battle; or, if he should march off and abandon that river, and, by consequence, all the country on to Dublin.

All his officers, both French and Irish, who disagreed almost in all their advices, yet agreed in this, that though they had there a very advantageous post to maintain, yet their army being so much inferior, both in number and in every thing else, they would put too much to hazard, if they should venture on a battle. They therefore proposed the strengthening their garrisons, and marching off to the Shannon with the horse and a small body of foot, till they should see how matters went at sea; for the French king had sent them assurances that he would not only set out a great fleet, but that as soon as the squadron that lay in the Irish seas, to guard the transport fleet and to secure the king's passage over, should sail into the channel to join our grand fleet, he would then send into the Irish seas a fleet of small frigates and privateers, to destroy the king's transports. This would have been fatal, if it had taken effect: and the executing of it seemed easy and certain. It would have shut up the king within Ireland, till a new transport fleet could have been brought thither, which would have been the work of some months: so that England might have been lost before he could have passed the seas with his army. And the destruction of his transports must have ruined his army; for his stores, both of bread and ammunition, were still on board; and they sailed along the coast as he advanced on his march; nor was there in all that coast a safe port to cover and secure them. The king indeed reckoned that by the time the squadron, which lay in the Irish seas, should be able to join the rest of the fleet, they would have advanced as far as the chops of the channel, where they would guard both England and Ireland: but things went far otherwise.

The queen was now in the administration. It was a new scene to her: she had for above sixteen months made so little figure in business, that those, who imagined that every woman of sense loved to be meddling, concluded that she had a small proportion of it, because she lived so abstracted from all affairs. Her behaviour was indeed very exemplary: she was exactly regular both in her public and private devotions: she was much in her closet, and read a great deal: she was often busy at work, and seemed to employ her time and thoughts in any thing, rather than matters of state: her conversation was lively and obliging: every thing in her was easy and natural: she was singular in great charities to the poor; of whom, as there are always great numbers about courts, so the crowds of persons of quality that had fled over from Ireland drew from her liberal supplies: all this was nothing to the public. If the king talked with her of affairs, it was in so private a way, that few seemed to believe it. The earl of Shrewsbury told me that the king had upon many occasions said to him, that though he could not hit on the right way of pleasing England, he was confident she would; and that we should all be very happy under her. The king named a cabinet

council of eight persons, on whose advice she was chiefly to rely: four of them were tories and four were whigs; yet the marquis of Caermarthen and the earl of Nottingham, being of the first sort, who took most upon them and seemed to have the greatest credit, the whigs were not satisfied with the nomination. The queen balanced all things with an extraordinary temper; and became universally beloved and admired by all about her.

Our concerns at sea were then the chief thing to be looked to: an unhappy compliment of sending a fleet to convoy a queen to Spain proved almost fatal to us. They were so long delayed by contrary winds, that a design of blocking up Toulon was lost by it. The great ships that lay there had got out before our fleet could reach the place. Our squadron returned back, and went into Plymouth to refit there; and it was joined by that which came from the Irish seas. These two squadrons consisted of above thirty ships of the line. The earl of Torrington, that had the chief command, was a man of pleasure, and did not make the haste that was necessary to go about and join them; nor did the Dutch fleet come over so soon as was promised; so that our main fleet lay long at Spithead. The French understood that our fleets lay thus divided, and saw the advantage of getting between them: so they came into the channel with so fair a wind, that they were near the Isle of Wight before our fleet had any advice of their being within the channel. The earl of Torrington had no advice-boats out to bring him news; and though notice thereof was sent post over-land as soon as the French came within the channel, yet their fleet sailed as fast as the post could ride; but then the wind turned upon them, otherwise they would in all probability have surprised us. But after this first advantage, the winds were always contrary to them and favourable to us. So that the French officers in Ireland had reason to look for that fleet of smaller vessels, which was promised to be sent to destroy the king's transport ships. And for these reasons all king James's officers were against bringing the war to so speedy a decision.

In opposition to all their opinions, king James himself was positive that they must stay and defend the Boyne: if they marched off and abandoned Dublin, they would so lose their reputation, that the people would leave them and capitulate; it would also dispirit all their friends in England: therefore he resolved to maintain the post he was in, and seemed not a little pleased to think that he should have one fair battle for his crown. He spoke of this with so much seeming pleasure, that many about him apprehended that he was weary of the struggle, and even of life, and longed to see an end of it at any rate: and they were afraid that he would play the hero a little too much. He had all the advantages he could desire: the river was deep, and rose very high with the tide: there was a morass to be passed after the passing the river, and then a rising ground.

On the last of June, the king came to the banks of the river; and as he was riding along, and making a long stop in one place to observe the grounds, the enemy did not lose their opportunity, but brought down two pieces of cannon, and, with the first firing, a ball passed along the king's shoulder, tore off some of his clothes and about a hand-breadth of the skin, out of which about a spoonful of blood came; and that was all the harm it did him. It cannot be imagined how much terror this struck into all that were about him; he himself said it was nothing; yet he was prevailed on to alight till it was washed and a plaster put upon it; and immediately he mounted his horse again, and rode about all the posts of his army. It was indeed necessary to show himself everywhere, to take off the apprehensions with which such an unusual accident filled his soldiers. He continued that day nineteen hours on horseback; but, upon his first alighting from his horse, a deserter had gone over to the enemy with the news, which was carried quickly into France, where it was taken for granted that he could not outlive such a wound; so it ran over that kingdom that he was dead. And upon it there were more public rejoicings than had been usual upon their greatest victories; which gave that court afterwards a vast confusion, when they knew that he was still alive; and saw that they had raised in their own people a high opinion of him by this inhuman joy, when they believed him dead.

But to return to the action of the Boyne. The king sent a great body of cavalry to pass the river higher, while he resolved to pass it in the face of the enemy; and the duke of

Schomberg was to pass it in a third place, a little below him. I will not enter into the particulars of that day's action, but leave that to military men\*.

It was a complete victory; and those who were the least disposed to flattery, said, it was almost wholly due to the king's courage and conduct; and, though he was a little stiff by reason of his wound, yet he was forced to quit his horse in the morass, and to go through it on foot: but he came up in time to ride almost into every body of his army: he charged in many different places, and nothing stood before him. The Irish horse made some resistance, but the foot threw down their arms, and ran away. The most amazing circumstance was, that king James stayed all the while with his guards, at a safe distance, and never came into the places of danger or of action; and, when he saw his army was every where giving ground, was the first that ran for it, and reached Dublin before the action was quite over; for it was dark before the king forsook the pursuit of the Irish. His horse and dragoons were so weary, with the fatigue of a long action in a hot day, that they could not pursue far; nor was their camp furnished with necessary refreshments till next morning; for the king had marched faster than the waggons could possibly follow. The army of the Irish were so entirely forsaken by their officers, that the king thought they would have dispersed themselves, and submitted; and that the following them would have been a mere butchery, which was a thing he had always abhorred. The only allay to this victory was the loss of the duke of Schomberg; he passed the river in his station, and was driving the Irish before him, when a party of desperate men set upon him, as he was riding very carelessly, with a small number about him. They charged, and in the disorder of that action he was shot; but it could not be known by whom; for most of all the party was cut off. Thus that great man, like another Epaminondas, fell on the day in which his side triumphed†.

King James came to Dublin, under a very indecent consternation: he said all was lost; he had an army in England that could have fought, but would not; and now he had an army that would have fought, but could not. This was not very gratefully, nor decently spoken by him, who was among the first that fled. Next morning he left Dublin: he said, too much blood had been already shed; it seemed God was with their enemies; the prince of Orange was a merciful man; so he ordered those he left behind him to set the prisoners at liberty, and to submit to the prince: he rode that day from Dublin to Duncannon Fort; but, though the place was considerably strong, he would not trust to that, but lay aboard a French ship that anchored there, and had been provided, by his own special directions to sir Patrick Trant. His courage sunk with his affairs to a degree that amazed those who had known the former parts of his life. The Irish army was forsaken by their officers for two days; if there had been a hot pursuit, it would have put an end to the war of Ireland; but the king thought his first care ought to be to secure Duhlin; and king James's officers, as they abandoned it, went back to the army, only in hopes of a good capitulation. Dublin was thus forsaken, and no harm done, which was much apprehended; but the fear the Irish were in was such, that they durst not venture on any thing which must have drawn severe revenges after it. So the protestants there, being now the masters, they declared for the king. Drogheda did also capitulate.

But, to balance this great success, the king had, the very day after the battle at the Boyne, the news of a battle fought in Flanders, between prince Waldeck and the marshal Luxembourg, in which the former was defeated. The cavalry did at the first charge run, but the foot made an amazing stand. The French had the honour of a victory, and took many prisoners, with the artillery; yet the stand the infantry made was such, that they lost more than they got by the day; nor were they able to draw any advantage from it. This was the battle of Fleurus, that, in the consequence of it, proved the means of preserving England.

\* The battle of the Boyne was fought on the 1st of July.

† Frederic Schomberg, duke of Schomberg, marquis of Harwich, earl of Brentford, &c., was born in 1608. His father was count Schomberg; his mother a daughter of lord Dudley. A German and a calvinist, he sought employment as a military adventurer in Holland, under

William the Second. Becoming unpopular with the Dutch, on the death of this prince, he entered into the service of Lewis the Fourteenth, in whose army he served with entire devotion. At this period he is first mentioned in this work, and the most prominent features of his life have been noticed.—Birch's Lives.

On the day before the battle of the Boyne, the two fleets came to a great engagement at sea. The squadron that lay at Plymouth could not come up to join the great fleet, the wind being contrary; so it was under debate, what was fittest to be done: the earl of Torrington thought he was not strong enough, and advised his coming in, till some more ships, that were fitting out, should be ready; some began to call his courage in question, and imputed this to fear; they thought this would too much exalt our enemies, and discourage our allies, if we left the French to triumph at sea, and to be the masters of our coast and trade; for our merchants' richest ships were coming home; so that the leaving them in such a superiority would be both very unbecoming, and very mischievous to us. The queen ordered Russel to advise, both with the navy board, and with all that understood sea affairs; and, upon a view of the strength of both fleets, they were of opinion, that though the French were superior in number, yet our fleet was so equal in strength to them, that it was reasonable to send orders to our admiral to venture on an engagement; yet the orders were not so positive, but that a great deal was left to a council of war. The two fleets engaged near Beachy, in Sussex; the Dutch led the van; and, to shew their courage, they advanced too far out of the line, and fought, in the beginning, with some advantage, the French flying before them; and our blue squadron engaged bravely; but the earl of Torrington kept in his line, and continued to fight at a distance: the French, seeing the Dutch came out so far before the line, fell on them furiously, both in front and flank, which the earl of Torrington neglected for some time; and, when he endeavoured to come a little nearer, the calm was such, that he could not come up. The Dutch suffered much, and their whole fleet had perished, if their admiral, Calembourg, had not ordered them to drop their anchors, while their sails were all up: this was not observed by the French; so they were carried by the tide, while the others lay still; and thus in a few minutes the Dutch were out of danger. They lost many men, and sunk some of their ships, which had suffered the most, that they might not fall into the enemy's hands. It was now necessary to order the fleet to come in with all possible haste: both the Dutch and the blue squadron complained much of the earl of Torrington; and it was a general opinion that if the whole fleet had come up to a close fight, we must have beat the French: and, considering how far they were from Brest, and that our squadron at Plymouth lay between them and home, a victory might have had great consequences. Our fleet was now in a bad condition, and broken into factions; and if the French had not lost the night's tide, but had followed us close, they might have destroyed many of our ships. Both the admirals were almost equally blamed; ours for not fighting, and the French for not pursuing his victory.

Our fleet came in safe; and all possible diligence was used in refitting it; the earl of Torrington was sent to the Tower, and three of our best sea officers had the joint command of the fleet; but it was a month before they could set out; and, in all that time, the French were masters of the sea, and our coasts were open to them. If they had followed the first consternation, and had fallen to the burning our sea towns, they might have done us much mischief, and put our affairs in great disorder; for we had not above seven thousand men then in England. The militia was raised, and suspected persons were put in prison; in this melancholy conjuncture, though the harvest drew on, so that it was not convenient for people to be long absent from their labour, yet the nation expressed more zeal and affection to the government than was expected. And the Jacobites, all England over, kept out of the way, and were afraid of being fallen upon by the rabble. We had no great losses at sea; for most of our merchantmen came safe into Plymouth; the French stood over, for some time, to their own coast; and we had many false alarms of their shipping troops, in order to a descent. But they had suffered so much in the battle at Fleurus, and the Dutch used such diligence in putting their army in a condition to take the field again, and the elector of Brandenburgh, bringing his troops to act in conjunction with theirs, gave the French so much work, that they were forced, for all their victory, to lie upon the defensive, and were not able to spare so many men as were necessary for an invasion. The Dutch did indeed send positive orders to prince Waldeck, not to hazard another engagement till the fleet should be again at sea: this restrained the elector, who, in conjunction with the Dutch, was much superior to Luxembourg; and afterwards, when the Dutch superseded those orders, the

elector did not think fit to hazard his army. Such is the fate of confederate armies, when they are under a different direction; that, when the one is willing, or at least seems to be so, the other stands off. The French riding so long, so quietly in our seas, was far from what might have been expected, after such an advantage: we understood afterwards, that they were still waiting, when the Jacobites should, according to their promises, have begun a rising in England; but they excused their failing in that, because their leaders were generally clapped up.

That party began to boast, all England over, that it was visible that the French meant no harm to the nation, but only to bring back king James; since now, though our coasts lay open to them, they did us no harm. And this might have made some impression, if the French had not effectually refuted it. Their fleet lay for some days in Torbay; their equipages were weakened; and by a vessel that carried a packet from Tourville to the court of France, which was taken, it appeared that they were then in so bad a condition, that if our fleet (which upon this was hastened out all that was possible) could have overtaken them, we should have got a great victory very cheap. But before they sailed, they made a descent on a miserable village, called Teignmouth, that happened to belong to a papist: they burnt it, and a few fisher-boats that belonged to it; but the inhabitants got away; and, as a body of militia was marching thither, the French made great haste back to their ships. The French published this in their gazettes, with much pomp, as if it had been a great trading town, that had many ships, with some men of war in port. This both rendered them ridiculous, and served to raise the hatred of the nation against them; for every town on the coast saw what they must expect if the French should prevail.

In all this time of fear and disorder, the queen shewed an extraordinary firmness; for though she was full of dismal thoughts, yet she put on her ordinary cheerfulness when she appeared in public, and shewed no indecent concern; I saw her all that while once a week, for I stayed that summer at Windsor: her behaviour was, in all respects, heroical; she apprehended the greatness of our danger; but she committed herself to God, and was resolved to expose herself, if occasion should require it: for she told me, she would give me leave to wait on her if she was forced to make a campaign in England, while the king was in Ireland.

Whilst the misfortunes in Flanders, and at sea, were putting us in no small agitation, the news first of the king's preservation from the cannon ball, and then of the victory, gained the day after, put another face on our affairs: the earl of Nottingham told me, that when he carried the news to the queen, and acquainted her in a few words that the king was well, that he had gained an entire victory, and that the late king had escaped; he observed her looks, and found that the last article made her joy complete, which seemed in some suspense, till she understood that. The queen and council upon this sent to the king, pressing him to come over with all possible haste; since, as England was of more importance, so the state of affairs required his presence here: for it was hoped the reduction of Ireland would be now easily brought about. The king, as he received the news of the battle of Fleurus, the day after the victory at the Boyne; so on the day in which he entered Dublin, he had the news of the misfortune at sea, to temper the joy, that his own successes might give him: he had taken all the earl of Tyrconnel's papers in the camp; and he found all king James's papers left behind him in Dublin; by these he understood the design the French had of burning his transport fleet, which was therefore first to be taken care of; and since the French were now masters at sea, he saw nothing that could hinder the execution of that design.

Among the earl of Tyrconnel's papers there was one letter written to queen Mary at St. Germain's, the night before the battle; but it was not sent. In it, he said, he looked on all as lost, and ended it thus: "I have now no hope in any thing but in Jones's business." The marquis of Caermarthen told me that some weeks before the king went to Ireland, he had received an advertisement, that one named Jones, an Irishman, who had served so long in France and Holland, that he spoke both languages well, was to be sent over to murder the king. And sir Robert Southwell told me, that he, as secretary of state for Ireland, had looked into all Tyrconnel's papers, and the copies of the letters he wrote to queen Mary,

which he had still in his possession ; and he gave me the copies of two of them. In one of these he writes, that Jones was come ; that his proposition was more probable, and likelier to succeed than any yet made : his demands were high, but he added, “ if any thing can be high for such a service.” In another he writes, that Jones had been with the king, who did not like the thing at first ; but he added, we have now to satisfy him both in conscience and honour, that every thing is done that Jones desires. Southwell further told me, that Deagle, the attorney-general, had furnished him with money, and a poniard of a particular composition ; and that they sought long for a bible, bound without a common prayer book, which he was to carry in his pocket, that so he might pass, if seized on, for a dissenter. Some persons of great quality waited on him to the boat that was to carry him over ; he was for some time delayed in Dublin ; and the king had passed over to Ireland before he could reach him : we could never hear of him more ; so it is likely he went away with his money. A paper was drawn of all this matter, and designed to be published ; but, upon second thoughts, the king and queen had that tenderness for king James, that they stopped the publishing to the world so shameful a practice. The king said, upon this, to myself, that God had preserved him out of many dangers, and he trusted he would still preserve him ; he was sure he was not capable of retaliating in that way. The escape of a cannon-ball, that touched him, was so signal, that it swallowed up lesser ones : yet, in the battle at the Boyne, a musket ball struck the heel of his boot, and recoiling, killed a horse near him ; and one of his own men, mistaking him for an enemy, came up to shoot him ; but he gently put by his pistol, and only said, “ Do not you know your friends ?”

At Dublin he published a proclamation of grace, offering to all the inferior sort of the Irish, their lives and personal estates, reserving the consideration of the real estates of the better sort to a parliament, and indemnifying them only for their lives ; it was hoped that the fulness of the pardon of the commons might have separated them from the gentry ; and that by this means, they would be so forsaken, that they would accept of such terms as should be offered them. The king had intended to have made the pardon more comprehensive ; hoping, by that, to bring the war soon to an end : but the English in Ireland opposed this. They thought the present opportunity was not to be let go, of breaking the great Irish families, upon whom the inferior sort would always depend. And, in compliance with them, the indemnity, now offered, was so limited, that it had no effect ; for the priests, who governed the Irish with a very blind and absolute authority, prevailed with them to try their fortunes still. The news of the victory the French had at sea was so magnified among them, that they made the people believe that they would make such a descent upon England, as must oblige the king to abandon Ireland. The king was pressed to pursue the Irish, who had retired to Athlone and Limerick, and were now joined by their officers, and so brought again into some order : but the main concern was, to put the transport fleet in a safe station. And that could not be had till the king was master of Waterford and Duncannon Fort, which commanded the entrance into the river ; both these places capitulated, and the transports were brought thither. But they were not now so much in danger, as the king had reason to apprehend ; for king James, when he sailed away from Duncannon, was forced by contrary winds to go into the road of Kinsale, where he found some French frigates that were already come to burn our fleet : he told them it was now too late, all was lost in Ireland. So he carried them back to convoy him over to France, where he had but a cold reception ; for the miscarriage of affairs in Ireland was imputed both to his ill conduct and his want of courage. He fell under much contempt of the people of France ; only that king continued still to behave himself decently towards him.

The king sent his army towards the Shannon ; and he himself came to Dublin, intending, as he was advised, to go over to England ; but he found there letters of another strain : things were in so good a posture, and so quiet in England, that they were no more in any apprehension of a descent ; so the king went back to his army, and marched towards Limerick. Upon this Lauzun, who commanded the French, left the town, and sent his equipage to France, which perished in the Shannon. It was hoped that Limerick, seeing itself thus abandoned, would have followed the example of other towns, and have capitulated. Upon that confidence the king marched towards it, though his army was now much

diminished : he had left many garrisons in several places, and had sent some of his best bodies over to England ; so that he had not now above 20,000 men together. Limerick lies on both sides of the Shannon, and on an island, that the river makes there : the Irish were yet in great numbers in Connaught ; so that, unless they had been shut up on that side, it was easy to send in a constant supply both of men and provisions : nor did it seem advisable to undertake the siege of a place so situated with so small an army, especially in that season, in which it used to rain long ; and by that means, both the Shannon would swell, and the ground, which was the best soil of Ireland, would be apt to become deep, and scarce practicable for carriages. Yet the cowardice of the Irish, the consternation they were in, and their being abandoned by the French, made the king resolve to sit down before it. Their out-works might have been defended for some time ; but they abandoned these in so much disorder, that it was from hence believed they would not hold out long. They also abandoned the posts which they had on the other side of the Shannon : upon which the king passed the river, which was then very low, and viewed those posts ; but he had not men to maintain them ; so he continued to press the town on the Munster side.

He sent for some more ammunition, and some great guns ; they had only a guard of two troops of horse to convoy them, who despised the Irish so much, and thought they were at such distance, that they set their horses to grass, and went to bed. Sarsfield, one of the best officers of the Irish, heard that the king rode about very carelessly, and upon that, had got a small body of resolute men together, on design to seize his person ; but now, hearing of this convoy, he resolved to cut it off : the king had advertisement of this brought him in time, and ordered some more troops to be sent to secure the convoy ; they, either through treachery or carelessness, did not march till it was night, though their orders were for the morning ; but they came a few hours too late. Sarsfield surprised the party, destroyed the ammunition, broke the carriages, and burst one of the guns, and so marched off. Lanier, whom the king had sent with the party, might have overtaken him ; but the general observation made of him (and of most of those officers who had served king James, and were now on the king's side) was, that they had a greater mind to make themselves rich by the continuance of the war of Ireland, than their master great, and safe, by the speedy conclusion of it.

By this the king lost a week, and his ammunition was low ; for a great supply that was put on ship-board in the river of Thames, before the king left London, still remained there, the French being masters of the channel : yet the king pressed the town so hard, that the trenches were run up to the counterscarp ; and when they came to lodge there, the Irish ran back so fast at a breach that the cannon had made, that a body of the king's men ran in after them ; and if they had been seconded, the town had been immediately taken ; but none came in time, so they retired : and though the king sent another body, yet they were beaten back with loss. As it now began to rain, the king saw that if he stayed longer there, he must leave his great artillery behind him : he went into the trenches every day ; and it was thought he exposed himself too much. His tent was pitched within the reach of their cannon ; they shot often over it, and beat down a tent very near it ; so he was prevailed on to let it be removed to a greater distance : once, upon receiving a packet from England, he sat down in the open field for some hours, reading his letters, while the cannon balls were flying round about him. The Irish fired well, and shewed they had some courage, when they were behind walls, how little soever they had shewn in the field.

The king lay three weeks before Limerick, but at last the rains forced him to raise the siege : they within did not offer to sally out and disorder the retreat : this last action proving unlucky, had much damped the joy that was raised by the first success of this campaign. The king expressed a great equality of temper upon the various accidents that happened at this time. Dr. Hutton, his first physician, who took care to be always near him, told me, he had observed his behaviour very narrowly upon two very different occasions.

The one was, after the return from the victory at the Boyne, when it was almost midnight, after he had been seventeen hours in constant fatigue, with all the stiffness that his wound gave him ; he expressed neither joy nor any sort of vanity ; only he looked cheer-

ful ; and when those about him made such compliments, as will be always made to princes, even though they do not deserve them, he put all that by with such an unaffected neglect, that it appeared how much soever he might deserve the acknowledgments that were made him, yet he did not like them. And this was so visible to all about him, that they soon saw that the way to make their court was, neither to talk of his wound, nor of his behaviour on that day. As soon as he saw his physician, he ordered him to see that care should be taken of the wounded men, and he named the prisoners, as well as his own soldiers. And though he had great reason to be offended with Hamilton, who had been employed to treat with the earl of Tyrconnel, and was taken prisoner in his sight, and was preserved by his order ; yet since he saw he was wounded, he gave particular directions to look after him. Upon the whole matter the king was as grave and silent as he used to be ; and the joy of a day, that had been both so happy and so glorious to him, did not seem to alter his temper or deportment in any way.

He told me he was also near him when it was resolved to raise the siege of Limerick ; and saw the same calm, without the least depression, disorder, or peevishness : from this he concluded, that either his mind was so happily balanced, that no accident could put it out of that situation ; or that, if he had commotions within, he had a very extraordinary command over his temper, in restraining or concealing them.

While he lay before Limerick, he had news from England that our fleet was now out, and that the French were gone to Brest : so, since we were masters of the sea, the earl of Marlborough proposed that five thousand men who had lain idle all this summer in England, should be sent to Ireland ; and with the assistance of such men as the king should order to join them, they should try to take Cork and Kinsale. The king approved of this and ordered the earl to come over with them : and he left orders for about five thousand more, who were to join him. And so he broke up this campaign and came over to Bristol, and from thence to London. The contrary winds stopped the earl of Marlborough so, that it was October before he got to Ireland \*. He soon took Cork by storm ; and four thousand men, that lay there in garrison, were made prisoners of war. In this action the duke of Grafton received a shot, of which he died in a few days : he was the more lamented, as being the person of all king Charles's children, of whom there was the greatest hope : he was brave, and probably would have become a great man at sea †. From Cork, the earl of Marlborough marched to Kinsale, where he found the two forts that commanded the port to be so much stronger than the plans had represented them to be, that he told me, if he had known their true strength, he had never undertaken the expedition in a season so far advanced ; yet in a few days the place capitulated. The Irish drew their forces together, but durst not venture on raising the siege ; but to divert it, they set the country about, which was the best built of any in Ireland, all in a flame.

Thus those two important places were reduced in a very bad season, and with very little loss ; which cut off the quick communication between France and Ireland. Count Lauzun, with the French troops, lay all this while about Galway, without attempting any thing ; he sent over to France an account of the desperate state of their affairs, and desired ships might be sent for the transport of their forces : that was done ; yet the ships came not till the siege of Limerick was raised : probably, if the court of France had known how much the state of affairs was altered, they would have sent contrary orders ; but Lauzun was

\* The best biography of this great general is by archdeacon Coxe, entitled " Memoirs of John, duke of Marlborough, with his original Correspondence." It contains much valuable information relative to this period.

† Henry Fitzroy was the illegitimate offspring of Barbara Villiers, duchess of Cleveland, by Charles the Second. He was born in 1663. In 1673 he had conferred upon him the dukedom of Grafton. He saw a good deal of naval service under sir Charles Bury, vice-admiral of England ; and acted gallantly against the duke of Monmouth. In 1687, the duke of Somerset having, as was noticed in a previous page, declined introducing the pope's nuncio, the archbishop of Amasia, at his public audience,

the duke of Grafton performed this unpopular act. He subsequently served James the Second in various capacities ; but upon the arrival of the Prince of Orange, he, together with lord Churchill (afterwards duke of Marlborough), were the first to join him ; yet he voted for the appointment of a regent. When the parliament had declared William and Mary sovereigns, he adhered to them, and bore the globe during the coronation ceremony. The duke received his death-wound on the 28th of September, 1690, whilst leading on the grenadiers to the breach in the walls of Cork. He is buried at Euston, in Suffolk.—Grainger's Biog. Hist.

wearied of the service, and was glad to get out of it; so he sailed away, without staying for new orders, by which he lost the little reputation that he was beginning to recover at the court of France. The earl of Tyrconnel went over with him, and gave full assurances, that though the Irish were likely to suffer great hardships next winter, yet they would stand it out, if they were still supported from France. It had appeared, upon many occasions, that the French and the Irish soldiers did not agree well together; therefore he proposed, that no more soldiers, but only a number of good officers, together with arms, ammunition, and clothes, might be sent over to them. In the mean while, the Irish formed themselves into many bodies, which, by a new name, were called *rapparees*\*. These, knowing all the ways, and the bogs, and other places of retreat in Ireland, and being favoured by the Irish, that had submitted to the king, robbed and burned houses in many places of the country; while the king's army studied their own ease in their quarters more than the protection of the inhabitants: many of them were suspected of robbing in their turn, though the rapparees carried the blame of all: between them, the poor inhabitants had a sad time, and their stock of cattle and corn was almost quite destroyed in many places.

From the affairs of Ireland, I turn next to give an account of what passed in Scotland; matters went very happily, as to the military part: when the remnants of the earl of Dundee's army (to whom many officers, together with ammunition and money, had been sent from Ireland) began to move towards the low country, to receive those who were resolved to join with them, and were between two and three thousand strong; they were fallen upon, and entirely defeated by a Dutch officer, Livingston, that commanded the forces in Scotland; about an hundred officers were taken prisoners; this broke all the measures that had been taken for king James's interests in Scotland. Upon this, those who had engaged in Montgomery's plot, looked upon that design as desperate; yet they resolved to try what strength they could make in parliament.

Lord Melvill carried down powers, first to offer to duke Hamilton, if he would join in common measures heartily with him, to be commissioner in parliament, or if he proved intractable, as indeed he did, to serve in that post himself. He had full instructions for the settlement of presbytery; for he assured the king, that without that, it would be impossible to carry any thing; only the king would not consent to the taking away the rights of patronage, and the supremacy of the crown; yet he found these so much insisted on, that he sent one to the king to Ireland for fuller instructions in those points; they were enlarged, but in such general words, that the king did not understand that his instructions could warrant what lord Melvill did; for he gave them both up. And the king was so offended with him for it, that he lost all the credit he had with him; though the king did not think fit to disown him, or to call him to an account, for going beyond his instructions.

The Jacobites persuaded all their party to go to the parliament, and to take the oaths; for many of the nobility stood off, and would not own the king, nor swear to him: great pains were taken by Paterson, one of their archbishops, to persuade them to take the oaths, but on design to break them; for he thought, by that means, they could have a majority in parliament; though some of the laity were too honest to agree to such advices; but with all these wicked arts they were not able to carry a majority. So, other things failing, they saw a necessity of desiring a force to be sent over from France; this appeared so odious, and so destructive to their country, that some of them refused to concur in it; others were not pleased with the answers king James had sent to the propositions they had made him. He had indeed granted all that they had asked, upon their own particular interests, and had promised to settle presbytery; but he rejected all those demands that imported a diminution of his prerogative, in as firm a manner as if he had been already set on the throne again: they proposed, finding his answer so little to their satisfaction, to send him a second message.

Upon this the earls of Argyle, Annandale, and Breadalbane, withdrew from them; Annandale came up to the Bath, pretending his ill health: both lord Argyle and Breadalbane went to Chester, pretending, as they said afterwards, that they intended to discover

\* The marauding rebels were so called, because generally armed with a short pike, which in Irish is called "a rapery."—Todd's Johnson's Dict.

the whole matter to the king ; but he had passed over to Ireland before they got to Chester. Montgomery upon this looked on the design as broken ; and so he went and reconciled himself to Melvill, and discovered the whole negotiation to him. Upon which, the earl of Melvill pressed the king to grant a general indemnity, and gave Montgomery a pass to go to London ; and he wrote to the queen in his favour. But the king was resolved to know the bottom of the plot, and particularly how far any of the English were engaged in it : so Montgomery absconded for some time in London, since he saw no hopes of pardon, but upon a full discovery. A warrant was sent to the Bath for the earl of Annandale, of which he had notice given him, and went up privately to London. Montgomery sent Ferguson to him, assuring him that he had discovered nothing, and desiring him to continue firm and secret : but when he had certain notice that Montgomery had discovered all the negotiation among the Scotch, he cast himself on the queen's mercy, asking no other conditions, but that he might not be made an evidence against others. He himself had not treated with any in England, so as to them he was only a second-hand witness ; only he informed against Nevil Payne, who had been sent down to Scotland, to manage matters among them : he was taken there, but would confess nothing. Upon the earl of Annandale's information, which he gave upon oath, the earl of Nottingham wrote to the council of Scotland, that he had in his hands a deposition upon oath, containing matter of high treason against Payne ; upon which it was pretended, that, according to the law of Scotland, he might be put to the torture ; and that was executed with rigour. He resisted a double question, yet was still kept a prisoner ; and this was much cried out on, as barbarous and illegal. Montgomery lay hid for some months at London ; but when he saw he could not have his pardon but by making a full discovery, he chose rather to go beyond sea : so fatally did ambition and discontent hurry a man to ruin, who seemed capable of greater things. His art in managing such a design, and his firmness in not discovering his accomplices, raised his character as much as it ruined his fortune. He continued in perpetual plots after this, to no purpose : he was once taken, but made his escape ; and at last, spleen and vexation put an end to a turbulent life.

The lord Melvill had now a clear majority in parliament by the discovery of the plot ; some absented themselves ; and others, to redeem themselves, were compliant in all things : the main point by which Melvill designed to fix himself, and his party, was, the abolishing of episcopacy, and the setting up of presbytery. The one was soon done by repealing all the laws in favour of episcopacy, and declaring it contrary to the genius and constitution of that church and nation ; for the king would not consent to a plain and simple condemnation of it. But it was not so easy to settle presbytery. If they had followed the pattern, set them in the year 1638, all the clergy, in a parity, were to assume the government of the church ; but those being episcopal, they did not think it safe to put the power of the church in such hands ; therefore it was pretended, that such of the presbyterian ministers as had been turned out in the year 1662, ought to be considered as the only sound part of the church : and of these there happened to be then threescore alive ; so the government of the church was lodged with them ; and they were empowered to take to their assistance, and to a share in the church government, such as they should think fit : some furious men who had gone into very frantic principles, and all those who had been secretly ordained in the presbyterian way, were presently taken in ; this was likely to prove a fatal error at their first setting out : the old men among them, what by reason of their age, or their experience of former mistakes, were disposed to more moderate counsels ; but the taking in such a number of violent men, put it out of their power to pursue them ; so these broke out into a most extravagant way of proceeding against such of the episcopal party as had escaped the rage of the former year. Accusations were raised against them ; some were charged for their doctrine, as guilty of Arminianism ; others were loaded with more scandalous imputations ; but these were only thrown out to defame them. And where they looked for proof, it was in a way more becoming inquisitors than judges ; so apt are all parties, in their turns of power, to fall into those very excesses, of which they did formerly make such tragical complaints. All other matters were carried, in the parliament of Scotland, as the lord Melvill and the presbyterians desired. In lieu of

the king's supremacy, he had chimney-money given him ; and a test was imposed on all in office, or capable of electing, or being elected to serve in parliament, declaring the king and queen to be their rightful and lawful sovereigns, and renouncing any manner of title pretended to be in king James.

As for affairs abroad, the duke of Savoy came into the alliance ; the French suspected he was in a secret treaty with the emperor, and so they forced him to declare it, before matters were ripe for it. They demanded, that he would put Turin and Montmelian in their hands. This was upon the matter to ask all, and to make him a vassal prince : upon his refusal, a French army took possession of Savoy ; and marched into Piedmont, before he was ready to receive them ; for though the imperialists and the Spaniards had made him great promises, in which they are never wanting, when their affairs require it, yet they failed so totally in the performance, that if the king and the Dutch, who had promised him nothing, had not performed every thing effectually, he must have become at once a prey to the French. The emperor was this year unhappy in Hungary, both by losing Belgrade, and by some other advantages, which the Turks gained ; yet he was as little inclined to peace, as he was capable of carrying on the war.

The king at his first coming over from Ireland was so little wearied with that campaign, that he intended to have gone over to his army in Flanders ; but it was too late ; for they were going into winter quarters ; so he held the session of parliament early, about the beginning of October, that so, the funds being settled for the next year, he might have an interview with many of the German princes, who intended to meet him at the Hague, that they might concert measures for the next campaign.

Both houses began with addresses of thanks and congratulation to the king and queen, in which they set forth the sense they had of their pious care of their people, of their courage and good government, in the highest expressions that could be conceived ; with promises of standing by them, and assisting them, with every thing that should be found necessary for the public service : and they were as good as their word ; for the king, having laid before them the charge of the next year's war, the estimate rising to above four millions, the vastest sum that ever a king of England had asked of his people, they agreed to it ; the opposition that was made being very inconsiderable ; and they consented to the funds proposed, which were thought equal to that which was demanded, though these proved afterwards to be defective. The administration was so just and gentle, that there were no grievances to inflame the house, by which the most promising beginnings of some sessions, in former reigns, had often miscarried.

Some indeed began to complain of a mismanagement of the public money ; but the ministry put a stop to that, by moving for a bill, empowering such as the parliament should name, to examine into all accounts, with all particulars relating to them ; giving them authority to bring all persons that they should have occasion for, before them, and to tender them an oath, to discover their knowledge of such things as they should ask of them. This was like the power of a court of inquisition ; and how unusual soever such a commission was, yet it seemed necessary to grant it, for the bearing down and silencing all scandalous reports. When this bill was brought to the lords, it was moved, that since the commons had named none but members of their own house, that the lords should add some of their number : this was done by ballot ; and the earl of Rochester having made the motion, the greatest number of ballots were for him ; but he refused to submit to this, with so much firmness, that the other lords, who were named with him, seemed to think they were in honour bound to do the same ; so, since no peer would suffer himself to be named, the bill passed as it was sent up. Many complaints were made of the illegal commitments of suspected persons for high treason ; though there was nothing sworn against them : but the danger was so apparent, and the public safety was so much concerned in those imprisonments, that the house of commons made a precedent for securing a ministry that should do the like upon the like necessity, and yet maintained the habeas corpus act ; they indemnified the ministry for all that had been done contrary to that act.

Great complaints were brought over from Ireland, where the king's army was almost as heavy on the country as the Rapparees were : there was a great arrear due to them ;

for which reason, when the king settled a government in Ireland, of three lords justices, he did not put the army under their civil authority, but kept them in a military subjection to their officers; for, he said, since the army was not regularly paid, it would be impossible to keep them from mutiny, if they were put under strict discipline, and punished accordingly. The under officers, finding that they were only answerable to their superior officers, took great liberties in their quarters; and, instead of protecting the country, they oppressed it. The king had brought over an army of seven thousand Danes, under the command of a very gallant prince, one of the dukes of Württemberg; but they were cruel friends, and thought they were masters; nor were the English troops much better. The Dutch were the least complained of: Ginkel, who had the chief command, looked strictly to them; but he did not think it convenient to put those of other nations under the same severe measures\*. But the pay, due for some months, being now sent over, the orders were changed; and the army was made subject to the civil government; yet it was understood that instructions were sent to the lords justices to be cautious in the exercise of their authority over them; so the country still suffered much by these forces.

The house of commons passed a vote to raise a million of money out of the forfeitures and confiscations in Ireland; and in order to that, they passed a bill of attainder of all those who had been engaged in the rebellion of Ireland, and appropriated the confiscations to the raising a fund for defraying the expense of the present war; only they left a power to the king to grant away a third part of those confiscated estates, to such as had served in the war; and to give such articles and capitulations to those who were in arms, as he should think fit. Upon this bill many petitions were offered, the creditors of some, and the heirs of others, who had continued faithful to the government, desired provisos for their security. The commons, seeing that there was no end of petitions, for such provisos, rejected them all; imitating in this too much the mock parliament, that king James held in Dublin; in which about 3,000 persons were attainted, without proof or process, only because some of them were gone over to England, and others were absconding, or informed against in Ireland. But when this bill was brought up to the lords, they thought they were in justice bound to hear all petitions: upon this, the bill was likely to be clogged with many provisos; and the matter must have held long: so the king, to stop this, sent a message to the commons; and he spoke to the same purpose, afterwards from the throne, to both houses. He promised he would give no grants of any confiscated estates, but would keep that matter entire, to the consideration of another session of parliament; by which the king intended only to assure them, that he would give none of those estates to his courtiers or officers; but he thought he was still at liberty to pass such acts of grace, or grant such articles to the Irish, as the state of his affairs should require.

There were no important debates in the house of lords. The earl of Torrington's business held them long; the form of his commitment was judged to be illegal; and the martial law, to which, by the statute, all who served in the fleet were subject, being lodged in the lord high admiral, it was doubted whether, the admiralty being now in commission, that power was lodged with the commissioners. The judges were of opinion that it was; yet, since the power of life and death was too sacred a thing to pass only by a construction of law, it was thought the safest course to pass an act, declaring, that the powers of a lord high admiral did vest in the commissioners. The secret enemies of the government, who intended to embroil matters, moved that the earl of Torrington should be impeached in parliament; proceedings in that way being always slow, incidents were also apt to fall in that might create disputes between the two houses, which did sometimes end in a rupture: but

\* This gallant and successful officer is truly designated by Mr. Noble, "a man of many titles." His names and honours were Godart de Reede, baron de Reede and Genkel, lord Amorongen Middachiez, Liversall, Elst, Stewelt, Roembergh, &c., knight of the royal order of the elephant, general of the cavalry of the United Provinces, grand commander of the Teutonic order, general of the dukedom of Guelder, and the county of Zutphen, and baron Aghrim, and earl of Athlone, in Ireland. He came into England with William the Third in 1688. For his gal-

lantry and conquests in Ireland, the house of commons voted him thanks, and even confirmed the grant of land given him by the king. This was the forfeited estate of William Dougan, earl of Limerick; but four years after the parliament voted this grant of more than 26,000 acres too extravagant. Disgusted with this treatment, he left England, entering the service of Holland, where he again greatly distinguished himself. He died in 1703.—Noble's Continuation of Grainger.

the king was apprehensive of that ; and, though he was much incensed against that lord, and had reason to believe that a council of war would treat him very favourably, yet he chose rather to let it go so than to disorder his affairs. The commissioners of the admiralty named a court to try him, who did it with so gross a partiality, that it reflected much on the justice of the nation ; so that, if it had not been for the great interest the king had in the States, it might have occasioned a breach of the alliance between them and us. He came off safe as to his person and estate, but much loaded in his reputation ; some charging him with want of courage, while others imputed his ill conduct to a haughty sullenness of temper, that made him, since orders were sent him, contrary to the advices he had given, to resolve indeed to obey them, and fight ; but in such a manner as should cast the blame on those who had sent him the orders, and give them cause to repent of it.

Another debate was moved in the house of lords (by those who intended to revive the old impeachment of the marquis of Caernarthen) whether impeachments continued from parliament to parliament, or whether they were not extinguished by an act of grace. Some ancient precedents were brought to favour this, by those who intended to keep them up ; but in all these, there had been an order of one parliament to continue them on to the next : so they did not come home to the present case ; and how doubtful soever it was, whether the king's pardon could be pleaded in bar to an impeachment, yet, since the king had sent an act of grace, which had passed in the first session of this parliament, it seemed very unreasonable to offer an impeachment against an act of parliament. All this discovered a design against that lord, who was believed to have the greatest credit both with the king and queen, and was again falling under an universal hatred. In a house of commons, every motion against a minister is apt to be well entertained ; some envy him, others are angry at him ; many hope to share in the spoils of him, or of his friends, that fall with him : and a love of change, and a wantonness of mind, makes the attacking a minister a diversion to the rest. The thing was well laid, and fourteen leading men had undertaken to manage the matter against him ; in which the earl of Shrewsbury had the chief hand, as he himself told me ; for he had a very bad opinion of the man, and thought his advices would, in conclusion, ruin the king and his affairs. But a discovery was at this time made, that was of great consequence ; and it was managed chiefly by his means, so that put an end to the designs against him for the present.

The session of parliament was drawing to a conclusion ; and the king was making haste over to a great congress of many princes, who were coming to meet him at the Hague. The Jacobites thought this opportunity was not to be lost ; they fancied it would be easy, in the king's absence, to bring a revolution about ; so they got the lord Preston to come up to London, and to undertake the journey to France, and to manage this negotiation. They thought no time was to be lost, and that no great force was to be brought over with king James ; but that a few resolute men, as a guard to his person, would serve the turn, now that there was so small a force left within the kingdom, and the nation was so incensed at a burthen of four millions in taxes. By this means, if he surprised us, and managed his coming over with such secrecy, that he should bring over with himself the first news of it, they believed this revolution would be more easy, and more sudden than the last. The men that laid this design were, the earl of Clarendon, the bishop of Ely (Dr. Turner), the lord Preston, and his brother Mr. Graham, and Penn, the famous quaker. Lord Preston resolved to go over, and to carry letters from those who had joined with him in the design, to king James and his queen. The bishop of Ely's letters were written in a very particular style : he undertook, both for his elder brother and the rest of the family, which was plainly meant of Sancroft, and the other deprived bishops. In his letter to king James's queen, he assured her of his, and all their zeal for the prince of Wales ; and that they would no more part with that, than with their hopes of Heaven. Ashton, a servant of that queen's, hired a vessel to carry them over ; but the owner of the vessel, being a man zealous for the government, discovered all he knew ; which was only, that he was to carry some persons over to France. The notice of this was carried to the marquis of Caernarthen ; and the matter was so ordered, that lord Preston, Ashton, and a young man (Elliot) were got aboard, and falling down the river, when the officer sent to take them came, on pretence to search, and

press for seamen ; and drew the three passengers out of the hold, in which they were hid. Lord Preston left his letters behind him in the hold, together with king James's signet : Ashton took them up, on design to have thrown them into the sea, but they were taken from him.

Both they and their letters were brought to Whitehall. Lord Preston's mind sunk so visibly, that it was concluded he would not die, if confessing all he knew could save him. Ashton was more firm and sullen : Elliot knew nothing. There was among their papers one that contained the heads of a declaration, with assurances of pardon, and promises to preserve the protestant religion, and the laws : another paper contained short memorials, taken by lord Preston, in which many of the nobility were named. The most important of all was, a relation of a conference between some noblemen and gentlemen, Whigs and Tories ; by which it appeared, that, upon a conversation on this subject, they all seemed convinced, that upon this occasion France would not study to conquer, but to oblige England ; and that king James would be wholly governed by protestants, and follow the protestant and English interest. The prisoners were quickly brought to their trial ; their design of going to France, and the treasonable papers found about them, were fully proved ; some of them were written in lord Preston's, and some in Ashton's hand. They made but a poor defence ; they said, a similitude of hands was not thought a good proof in Sidney's case ; but this was now only a circumstance : in what hand soever the papers were written, the crime was always the same, since they were open, not sealed. So they knew the contents of them, and thus were carrying on a negotiation of high treason with the king's enemies : upon full evidence they were condemned.

Ashton would enter into no treaty with the court ; but prepared himself to die. And he suffered with great decency and seriousness. He left a paper behind him, in which he owned his dependence on king James, and his fidelity to him ; he also affirmed, that he was sure the prince of Wales was born of the queen : he denied that he knew the contents of the papers that were taken with him. This made some conclude that his paper was penned by some other person, and too hastily copied over by himself, without making due reflections on this part of it ; for I compared this paper, which he gave the sheriff, and which was written in his own hand, with those found about him ; and it was visible, both were written in the same hand.

Lord Preston went backward and forward ; he had no mind to die, and yet was not willing to tell all he knew : he acted a weak part in all respects. When he was heated by the importunities of his friends, who were violently engaged against the government, and after he had dined well, he resolved he would die heroically ; but by next morning that heat went off ; and when he saw death in full view, his heart failed him. The scheme he carried over was so foolish, so ill concerted, and so few engaged in it, that those who knew the whole secret concluded, that if he had got safe to the court of France, the project would have been so despised, that he must have been suspected, as sent over to draw king James into a snare, and bring him into the king's hands. The earl of Clarendon was seized, and put in the Tower ; but the bishop of Ely, Graham, and Penn, absconded. After some months, the king, in regard to the earl of Clarendon's relation to the queen, would proceed to no extremities against him, but gave him leave to live, confined to his house in the country \*.

The king had suffered the deprived bishops to continue, now above a year, at their sees ; they all the while neglected the concerns of the church, doing nothing, but living privately in their palaces. I had, by the queen's order, moved both the earl of Rochester, and sir John Trevor, who had great credit with them, to try whether, in case an act could be obtained, to excuse them from taking the oaths, they would go on, and do their functions in ordinations, institutions, and confirmations ; and assist at the public worship, as formerly : but they would give no answer ; only they said, they would live quietly, that is, keep themselves close, till a proper time should encourage them to act more openly. So all the thoughts of this kind were, upon that, laid aside. One of the most considerable men of the party, Dr. Sherlock, upon king James's going out of Ireland, thought that this gave the

\* These particulars are completely verified by the "Diaries" of Mr. Evelyn and lord Clarendon.

present government a thorough settlement; and in that case, he thought it lawful to take the oaths; and upon that, not only took them himself, but publicly justified what he had done: upon which he was most severely libelled by those from whom he withdrew \*. The discovery of the bishop of Ely's correspondence, and engagement in the name of the rest, gave the king a great advantage in filling those vacant sees; which he resolved to do upon his return from the congress, to which he went over in January.

In his way he ran a very great hazard; when he got within the Maeze, so that it was thought two hours' rowing would bring him to land, being weary of the sea, he went into an open boat with some of his lords: but by mists and storms, he was tossed up and down above sixteen hours, before he got safe to land. Yet neither he, nor any of those who were with him, were the worse for all this cold and wet weather. And, when the seamen seemed very apprehensive of their danger, the king said in a very intrepid manner, "What! are you afraid to die in my company?" He soon settled some points at which the States had stuck long; and they created the funds for that year. The electors of Bavaria and Brandenburg, the dukes of Zell and Wolfenbuttel, with the landgrave of Hesse, and a great many other German princes, came to this interview, and entered into consultations concerning the operations of the next campaign. The duke of Savoy's affairs were then very low; but the king took care of him, and furnished, as well as procured him such supplies, that his affairs had quickly a more promising face. Things were concerted among the princes themselves, and were kept so secret, that they did not trust them to their ministers; at least the king did not communicate them to the earl of Nottingham, as he protested solemnly to me, when he came back. The princes shewed to the king all the respects that any of their rank ever paid to any crowned head: and they lived together in such an easy freedom, that points of ceremony occasioned no disputes among them; though those are often, upon less solemn interviews, the subjects of much quarrelling, and interrupt more important debates.

During this congress, pope Alexander the Eighth, Ottoboni, died. He had succeeded pope Innocent, and sat in that chair almost a year and a half; he was a Venetian, and intended to enrich his family as much as he could. The French king renounced his pretensions to the franchises; and he, in return for that, promoted Fourbin and some others, recommended by that court, to be cardinals; which was much resented by the emperor. Yet he would not yield the point of the *regale* to the court of France; nor would he grant the bulls for those whom the king had named to the vacant bishoprics in France who had signed the *formulary*, passed in 1682, that declared the pope fallible, and subject to a general council. When pope Alexander felt himself near death, he passed a bull in due form, by which he confirmed all pope Innocent's bulls; and by this he put a new stop to any reconciliation with the court of France. This he did to render his name and family more acceptable to the Italians, and most particularly to his countrymen, who hated the French as much as they feared them. Upon his death, the conclave continued shut up for five months, before they could agree upon an election. The party of the zealots stood long firm to Barbarigo, who had the reputation of a saint, and seemed in all things to set cardinal Borromeo before him as a pattern: they at last were persuaded to consent to the choice of Pignatelli, a Neapolitan, who, while he was archbishop of Naples, had some disputes with the viceroy,

\* Dr. William Sherlock was a native of Southwark, where he was born about the year 1641. His education was conducted at Eton and Peter House, Cambridge, where he took his doctor's degree in 1680. At the revolution he at first refused to take the new oaths of allegiance, and exerted himself to induce others to be equally refractory. The government gave him time to consider, and his wife during this interval succeeded in persuading him to change his opinions. A bookseller soon after seeing the doctor handing his wife along St. Paul's church-yard, archly observed, "There goes Dr. Sherlock with his reasons for taking the oaths at his finger's ends." He defended his change of sentiments in a pamphlet entitled "The Cure of Resistance to the Supreme Powers." His controversial writings are of small estimation; but some practical works, especially his "Discourse on Providence,"

are excellent. He died in 1707. His son, afterwards bishop of London, "Sherlock-like," could not be convinced respecting certain tenets, until decided by the battle of Preston, as that of the Boyne had converted his father.

As Sherlock the elder, with jure divine  
Did not comply till the battle of Boyne;  
So Sherlock the younger still made it a question  
Which side he would take, till the battle of Preston.

So said the wits of the day; and the benchers of the Temple, in commending a loyal sermon of the junior Sherlock, preached the Sunday succeeding the battle of Preston, said, "it was a pity it had not been delivered at least the Sunday before."—Noble's Continuation of Grainger; Gen. Biog. Dictionary.

concerning the ecclesiastical immunities, which he asserted so highly, that he excommunicated some of the judges, who, as he thought, had invaded them. The Spaniards had seemed displeased at this; which recommended him so to the French, that they also concurred to his elevation. He assumed pope Innocent's name, and seemed resolved to follow his maxims and steps; for he did not seek to raise his family, of which the king told me a considerable instance: one of his nearest kindred was then in the Spanish service, in Flanders, and hastened to Rome upon his promotion; he received him kindly enough, but presently dismissed him, giving him no other present, if he said true, but some snuff. It is true, the Spaniards afterwards promoted him; but the pope took no notice of that.

To return to the Low Countries: the king of France resolved to break off the conferences at the Hague, by giving the alarm of an early campaign; Mons was besieged; and the king came before it in person. It was thereupon given up, as a lost place; for the French ministers had laid that down among their chief maxims, that their king was never to undertake any thing in his own person, but where he was sure of success. The king broke up the congress, and drew a great army very soon together; and, if the town had held out so long, as they might well have done, or if the governor of Flanders had performed what he undertook, of furnishing carriages to the army, the king would either have raised the siege, or forced the French to a battle. But some priests had been gained by the French, who laboured so effectually among the townsmen, who were almost as strong as the garrison, that they at last forced the governor to capitulate. Upon that, both armies went into quarters of refreshment; and the king came over again to England for a few weeks.

He gave all necessary orders for the campaign in Ireland, in which Ginkle had the chief command. Russel had the command of the fleet, which was soon ready, and well manned. The Dutch squadron came over in good time. The proportion of the quota, settled between England and the States, was, that we were to furnish five, and they three ships of equal rates and strength.

Affairs in Scotland were now brought to some temper; many of the lords, who had been concerned in the late plot, came up, and confessed and discovered all, and took out their pardon; they excused themselves, as apprehending that they were exposed to ruin; and that they dreaded the tyranny of presbytery, no less than they did popery; and they promised that, if the king would so balance matters, that the lord Melvill, and his party, should not have it in their power to ruin them and their friends, and in particular, that they should not turn out the ministers of the episcopal persuasion, who were yet in office, nor force presbyterians on them, they would engage in the king's interests faithfully and with zeal: they also undertook to quiet the Highlanders, who stood out still, and were robbing the country in parties; and they undertook to the king, that, if the episcopal clergy could be assured of his protection, they would all acknowledge and serve him. They did not desire that the king should make any step towards the changing the government, that was settled there; they only desired that episcopal ministers might continue to serve in those places that liked them best; and that no man should be brought into trouble for his opinion, as to the government of the church; and that such episcopal men as were willing to mix with the presbyterians in their judicatories, should be admitted, without any severe imposition in point of opinion.

This looked so fair, and agreed so well with the king's own sense of things, that he very easily hearkened to it; and I did believe that it was sincerely meant; so I promoted it with great zeal, though we afterwards came to see that all this was an artifice of the Jacobites to engage the king to disgust the presbyterians; and by losing them, or at least rendering them remiss in his service, they reckoned they would be soon masters of that kingdom. For the party resolved now to come in generally to take the oaths; but in order to that, they sent one to king James, to shew the necessity of it, and the service they intended him in it; and therefore they asked his leave to take them. That king's answer was more honest; he said he could not consent to that which he thought unlawful; but if any of them took the oaths on design to serve him, and continued to advance his interests, he promised it should never be remembered against them. Young Dalrymple was made conjunct secretary of state, with the lord Melvill; and he undertook to bring in most of the Jacobites to the king's ser-

vice ; but they entered, at the same time, into a close correspondence with St. Germains : I believed nothing of all this at that time, but went in cordially to serve many, who intended to betray us.

The truth was, the presbyterians, by their violence and other foolish practices, were rendering themselves both odious and contemptible : they had formed a general assembly, in the end of the former year, in which they did very much expose themselves by the weakness and peevishness of their conduct : little learning or prudence appeared among them ; poor preaching and wretched haranguing ; partialities to one another, and violence and injustice to those who differed from them, shewed themselves in all their meetings. And these did so much sink their reputation, that they were weaning the nation most effectually from all fondness to their government ; but the falsehood of many, who, under a pretence of moderating matters, were really undermining the king's government, helped in the sequel to preserve the presbyterians, as much as their own conduct did now alienate the king from them.

The next thing the king did was, to fill the sees vacant by deprivation. He judged right that it was of great consequence, both to his service and to the interests of religion, to have Canterbury well filled ; for the rest would turn upon that. By the choice he was to make, all the nation would see, whether he intended to go on with his first design of moderating matters, and healing our breaches, or if he would go into the passions and humours of a high party, that seemed to court him as abjectly as they inwardly hated him. Dr. Tillotson had been now well known to him for two years ; his soft and prudent counsels, and his zeal for his service, had begotten, both in the king and queen, a high and just opinion of him. They had both, for above a year, pressed him to come into this post : and he had struggled against it with great earnestness : as he had no ambition, nor aspiring in his temper, so he foresaw what a scene of trouble and slander he must enter on, now in the decline of his age. The prejudices that the Jacobites would possess all people with, for his coming into the room of one, whom they called a confessor \*, and who began now to have the public compassion on his side, were well foreseen by him. He also apprehended the continuance of that heat and aversion, that a violent party had always expressed towards him, though he had not only avoided to provoke any of them, but had, upon all occasions, done the chief of them great services, as often as it was in his power. He had large principles, and was free from superstition ; his zeal had been chiefly against atheism and popery ; but he had never shewed much sharpness against the dissenters. He had lived in a good correspondence with many of them ; he had brought several over to the church by the force of reason, and the softness of persuasion and good usage ; but was a declared enemy to violence and severities on those heads. Among other prejudices against him, one related to myself : he and I had lived, for many years, in a close and strict friendship ; he laid before the king all the ill effects, that, as he thought, the promoting him would have on his own service ; but all this had served only to increase the king's esteem of him, and fix him in his purpose.

The bishop of Ely's letters to St. Germains, gave so fair an occasion of filling those sees, at this time, that the king resolved to lay hold on it ; and Tillotson, with great uneasiness to himself, submitted to the king's command ; and soon after, the see of York falling void, Dr. Sharp was promoted to it : so those two sees were filled with the two best preachers that had sat in them in our time : only Sharp did not know the world so well, and was not so steady as Tillotson was †. Dr. Patrick was advanced to Ely, Dr. Moore was made

\* Dr. Sancroft.

† Dr. John Sharp was born in 1644, at Bradford, in Yorkshire. His college education was at Christ's, Cambridge. Notwithstanding his talents, it is probable he would not have advanced so rapidly, but from two fortunate connections. He obtained the domestic chaplaincy, and tutorship of the four sons, of sir Heneage Finch, eventually lord chancellor ; and his father, a dry-salter, was intimate with Mr. Joshua Tillotson, in the same line of business, uncle to the archbishop. This led to an introduction of the son of the first, to the latter's nephew, and they never after ceased to be intimate friends. Through

these interests he obtained, in succession the archdeaconry of Berkshire, a prebend stall of Norwich, the rectory of St. Giles-in-the-Fields, and the deanery of Norwich. In a former page has been noticed the displeasure he incurred during the reign of James the Second. At the revolution he was presented to the deanery of Canterbury, and was finally elevated to the see of York, as mentioned in the text above. He died in 1714. Dr. Sharp was devoted to scientific and literary pursuits. At college he was distinguished for his acquirements in chemistry, botany, and mathematics. During his retirement at Norwich, in James's reign, he amused himself with forming a collection of

bishop of Norwich, Dr. Cumberland was made bishop of Peterborough, Dr. Fowler was made bishop of Gloucester, Ironside was promoted to Hereford, Grove to Chichester, and Hall to Bristol\*; as Hough, the president of Magdalen's, was the year before this, made bishop of Oxford. So that in two years' time the king had named fifteen bishops; and they were generally looked on as the most learned, the wisest, and best men, that were in the church. It was visible that in all these nominations, and the filling the inferior dignities, that became void by their promotion, no ambition, nor court favour, had appeared; men were not scrambling for preferment, nor using arts, or employing friends to set them forward; on the contrary, men were sought for, and brought out of their retirements; and most of them very much against their own inclinations: they were men both of moderate principles, and of calm tempers. This great promotion was such a discovery of the king and queen's

coins, chiefly British. Shakespeare was his favourite author, and with his writings he was thoroughly acquainted. He used to recommend young divines to read the scriptures, and then that great dramatist, observing that the Bible and Shakespeare made him archbishop of York.—*Biog. Britannica.* Oxford edition of this work.

\* Dr. John Moore was a native of Market Harborough, Leicestershire. He became a fellow of Clare Hall, Cambridge, was successively rector of various parishes, chaplain to lord chancellor Nottingham, and to king William and queen Mary. The bishopric of Norwich was given him, as stated above; and, in 1707, he was translated to Ely. Attending Dr. Bentley's course, he was detained such a lengthened time in the cold hall of Ely-house, that he incurred an illness which eventually killed him, in 1714. Dr. Clarke, his domestic chaplain, has given him a very laudatory character in the preface to his works, which he collected and published. He was a true bibliomaniac, for his love of collecting old books was accompanied by one of its most rabid symptoms,—a proneness to go a step beyond the sin of coveting. The writer remembers to have seen a warning given in a letter to a librarian to be on the look out, "for the bishop of Ely was coming."—"Cave—adsum!" would have been an appropriate motto for him. George the First bought his library, consisting of 28,965 printed volumes, and 1790 MSS., and gave it to the Cambridge university library. Some disturbances happening at the same time in Oxford, a troop of horse was despatched thither by the ministry, which occasioned the following excellent epigram, by Dr. Trapp, or Dr. Warton:—

The king observing, with judicious eyes,  
The state of both his universities,  
To one he sends a regiment; For why?  
That learned body wanted *loyalty*.  
To th' other books he gave, as well discerning  
How much that *loyal* body wanted *learning*.

To this sir William Browne, the physician, wittily replied:—

The king to Oxford sent his troop of horse:  
For tories own no *argument* but *force*.  
With equal care to Cambridge books he sent:  
For whigs allow no *force*, but *argument*.

(Bentham's Hist. of Ely; Clarke's Preface as quoted; Noble's Cont. of Grainger.)

Dr. Richard Cumberland, a native of London, and educated at St. Paul's school, and Magdalen College, Cambridge, was quietly pursuing his antiquarian studies, and his duties as a country priest, when he was summoned, without any application on his own part, to fill the see of Peterborough. Never was there a more laudable, more dignified character than his; for Mr. Noble does not exaggerate when, after describing his published works, his exertions as a clergyman, and his unostentatious, though munि-

ficent charities, he adds "languages, divinity, history, physic, mathematics, and indeed every branch of learning and science were understood by him. He might, indeed, be called the patriarch of splendid abilities; abilities, guarded by religion and integrity, and adorned with the choicest flowers of eloquence." He died in 1718, aged 86, and lies under a tomb he had erected in his own cathedral. Indefatigable in all his duties and pursuits, even at the last period of his life, his friends recommended quiet and relaxation, or that he would wear himself out; to which he replied, "I had better *wear* out, than *rust* out." His memoirs are contained in the preface to one of his works, "Sanchoniatho's Phenician History," which are ably epitomised in the "Biographia Britannica."

Dr. Edward Fowler, a native of Westerleigh, Gloucestershire, and educated at Oxford, though he graduated at Cambridge, was an exemplary, mild-tempered, tolerant man; this, which obtained for him a place among those designated *Latitudinarians*, and his strenuous opposition to papacy, obtained for him the above preferment. He died in 1714, aged eighty-two.—*Wood's Athene Oxon.*; *Biog. Britan.*

Dr. Gilbert Ironside was son of the bishop of Bristol, of the same name. He was born at Winterborne Stepledon, in Dorsetshire, matriculated, and graduated at Wadham college, Oxford, was nominated bishop of Bristol in 1689, and accepted this see under a promise that he should be translated to a better. "Being then about sixty years of age, he took to him a fair widow to be his wife;" and was, on the death of Dr. Herbert Croft, translated to Hereford, as mentioned above. He seems to have died in 1712, as Dr. Bissex was translated to the see of Hereford in that year.—*Wood's Athene Oxon.*; *Noble's Cont. of Grainger*, ii. 100.

Of Dr. Robert Grove, little is known to the editor. He was a fellow of St. John's, Cambridge; chaplain to Dr. Henchman; lecturer and rector of St. Mary Axe. In 1631, he obtained his doctor's degree. In 1638 was rector of St. Mary's Undershaft, and present at the signing the petition to king James by the seven bishops. He probably died in 1724, as in that year Dr. Waddington was consecrated bishop of Chichester.—*Wood's Athene Oxon.*; *Clarendon Correspondence*; *Noble's Cont. of Grainger*.

Dr. John, or Joseph (for authorities differ) Hall was the son of a vicar of Bromsgrove, in Worcestershire. He was under the tuition of his uncle, Edmund Hall, at Pembroke college, Oxford. Of this college he became the master in 1664, and retained it forty-five years; for when consecrated bishop of Bristol, he was allowed to hold his mastership and the rector of St. Aldates, adjoining his college, *in commendam*. He may be said to have spent his whole time in his college, dying there in 1709, and though estimable as a scholar and a divine, yet certainly not sufficiently attentive to his diocese.—*Wood's Athene Oxon.*; *Noble's Cont. of Grainger*.

designs, with relation to the church, that it served much to remove the jealousies that some other steps the king had made were beginning to raise in the whigs, and very much softened the ill humour that was spread among them.

As soon as this was over, the king went back to command his army in Flanders. Both armies were now making haste to take the field. But the French were quicker than the confederates had yet learned to be. Prince Waldeck had not got above eighteen thousand men together, when Luxembourg, with an army of forty thousand men, was marching to have surprised Brussels: and at the same time Boufflers, with another army, came up to Liege. Waldeck posted his army so well, that Luxembourg, believing it stronger than indeed it was, did not attempt to break through, in which it was believed he might have succeeded. The king hastened the rest of the troops and came himself to the army in good time, not only to cover Brussels, but to send a detachment to the relief of Liege, which had been bombarded for two days. A body of Germans, as well as that which the king sent to them, came in good time to support those of Liege, who were beginning to think of capitulating. So Boufflers drew off; and the French kept themselves so close in their posts all the rest of the campaign, that though the king made many motions, to try if it was possible to bring them to a battle, yet he could not do it. Signal preservations of his person did again show that he had a watchful Providence still guarding him. Once he had stood under a tree for some time, which the enemy observing, they levelled a cannon so exactly, that the tree was shot down two minutes after the king was gone from the place. There was one that belonged to the train of artillery who was corrupted to set fire to the magazine of powder; and he fired the matches of three bombs: two of these blew up without doing any mischief, though there were twenty-four more bombs in the same waggon on which they lay, together with a barrel of powder: the third bomb was found with the match fired, before it had its effect. If this wicked practice had succeeded, the confusion that was in all reason to be expected upon such an accident, while the enemy was not above a league from them, drawn up and looking for the success of it, must have had terrible effects. It cannot be easily imagined how much mischief might have followed upon it, in the mere destruction of so many as would have perished immediately, if the whole magazine had taken fire, as well as in the panic fear with which the rest would have been struck upon so terrible an accident; by the surprise of it, the French might have had an opportunity to have cut off the whole army. This may well be reckoned one of the miracles of Providence, that so little harm was done, when so much was intended and so near being done. The two armies lay along between the Sambre and the Maese; but no action followed. When the time came of going into quarters, the king left the armies in prince Waldeck's hands, who was observed not to march off with that caution that might have been expected from so old a captain: Luxembourg upon that drew out his horse, with the king's household, designing to cut off his rear; and did, upon the first surprise, put them into some disorder; but they made so good a stand, that, after a very hot action, the French marched off, and lost more men on their side than we did. Auverquerque commanded the body that did this service: and with it the campaign ended in Flanders.

Matters went on at sea with the same caution. Dunkirk was for some time blocked up by a squadron of ours. The great fleet went to find out the French; but they had orders to avoid an engagement: and though for the space of two months Russel did all he could to come up to them, yet they still kept at a distance, and sailed off in the night: so that though he was sometimes in view of them, yet he lost it next day. The trading part of the nation was very apprehensive of the danger the Smyrna fleet might be in, in which the Dutch and English effects together were valued at four millions; for though they had a great convoy, yet the French fleet stood out to intercept them; but they got safe into Kinsale. The season went over without any action; and Russel, at the end of it, came into Plymouth in a storm: which was much censured, for that road is not safe, and two considerable ships were lost upon the occasion. Great factions were among the flag officers; and no other service was done by this great equipment, but that our trade was maintained.

But while we had no success, either in Flanders or at sea, we were more happy in Ire-

land, even beyond expectation. The campaign was opened with the taking of Baltimore, on which the Irish had wrought much, that Athlone might be covered by it. We took it in one day, and the garrison had only ammunition for a day more. St. Ruth, one of the most violent of all the persecutors of the protestants in France, was sent over with two hundred officers to command the Irish army. This first action reflected much on his conduct, who left a thousand men with so slender a provision of ammunition, that they were all made prisoners of war. From thence Ginkle advanced to Athlone, where St. Ruth was posted on the other side of the Shannon, with an army in number equal to his: the river was deep, but fordable in several places: the castle was soon turned to a ruin by the cannon: but the passing the river in the face of an enemy was no easy thing, the ford being so narrow that they could not pass above twenty in front: parties were sent out to try other fords, which probably made the enemy imagine that they never intended to pass the river just under the town, where the ford was both deep and narrow. Talmash, a general officer, moved, that two battalions might have guineas apiece to encourage them; and he offered to march over at the head of them: which was presently executed by Mackay with so much resolution, that many ancient officers said it was the most gallant action they had ever seen. They passed the river, and went through the breaches into the town, with the loss only of fifty men, having killed above a thousand of the enemy; and yet they spared all that asked quarter. St. Ruth did not upon this occasion act suitably to the reputation he had formerly acquired; he retired to Aghrim, where he posted himself to great advantage, and was much superior to Ginkle in number; for he had abandoned many small garrisons to increase his army, which was now twenty-eight thousand strong; whereas Ginkle had not above twenty thousand; so that the attacking him was no advisable thing, if the courage of the English, and the cowardice of the Irish, had not made a difference so considerable, as neither numbers nor posts could balance.

St. Ruth had indeed taken the most effectual way possible to infuse courage into the Irish: he had sent their priests about among them, to animate them by all the methods they could think of; and, as the most powerful of all others, they made them swear on the sacrament that they would never forsake their colours. This had a great effect on them; for as when Ginkle fell on them they had a great bog before them, and the grounds on both sides were very favourable to them: with those advantages they maintained their ground much longer than they had been accustomed to do. They disputed the matter so obstinately, that for about two hours the action was very hot, and every battalion and squadron on both sides had a share in it. But nature will be always too strong for art; the Irish in conclusion trusted more to their heels than to their hands; the foot threw down their arms and ran away. St. Ruth and many more officers were killed, and about eight thousand soldiers and all their cannon and baggage was taken. So that it was a total defeat; only the night favoured a body of horse that got off. From thence Ginkle advanced to Galway, which capitulated; so that now Limerick was the only place that stood out. A squadron of ships was sent to shut up the river. In the meanwhile, the lords justices issued out a new proclamation, with an offer of life and estate to such as within a fortnight should come under the king's protection.

Ginkle pursued his advantages; and, having reduced all Connaught, he came and sat down before Limerick, and bombarded it; but that had no great effect; and though most of the houses were beat down, yet as long as the Connaught side was open, fresh men and provisions were still brought into the place. When the men of war were come up near the town, Ginkle sent over a part of his army to the Connaught side, who fell upon some bodies of the Irish that lay there and broke them, and pursued them so close as they retired to Limerick, that the French governor, D'Usson, fearing that the English would have come in with them, drew up the bridge, so that many of them were killed and drowned. This contributed very much towards heightening the prejudices that the Irish had against the French. The latter were so inconsiderable, that if Sarsfield and some of the Irish had not joined with them, they could not have made their party good. The earl of Tyrconnel had, with a particular view, studied to divert the French from sending over soldiers into Ireland; for he designed, in case of new misfortunes, to treat with the king, and to preserve himself and

his friends ; and now he began to dispose the Irish to think of treating, since they saw that otherwise their ruin was inevitable. But as soon as this was suspected, all the military men, who resolved to give themselves up entirely to the French interest, combined against him, and blasted him as a feeble and false man who was not to be trusted. This was carried so far that, to avoid affronts, he was advised to leave the army ; and he stayed all this summer at Limerick, where he died of grief, as was believed ; but, before he died, he advised all that came to him not to let things go to extremities, but to accept of such terms as could be got : and his words seemed to weigh more after his death than in his lifetime ; for the Irish began generally to say, that they must take care of themselves, and not be made sacrifices to serve the ends of the French\*. This was much heightened by the slaughter of the Irish whom the French governor had shut out and left to perish. They wanted no provisions in Limerick. And a squadron of French ships stood over to that coast, which was much stronger than ours that had sailed up to the town. So it was to be feared that they might come into the river to destroy our ships.

To hinder that, another squadron of English men of war was ordered thither. Yet the French did not think fit to venture their ships within the Shannon, where they had no places of shelter ; the misunderstanding that daily grew between the Irish and the French was great ; and all appearance of relief from France failing, made them resolve to capitulate. This was very welcome to Ginkle and his army, who began to be in great wants ; for that country was quite wasted, having been the seat of war for three years ; and all their draught horses were so wearied out, that their camp was often ill supplied.

When they came to capitulate, the Irish insisted on very high demands ; which were set on by the French, who hoped they would be rejected : but the king had given Ginkle secret directions that he should grant all the demands they could make, that would put an end to that war : so every thing was granted, to the great disappointment of the French, and the no small grief of some of the English, who hoped this war would have ended in the total ruin of the Irish interest. During the treaty, a saying of Sarsfield's deserves to be remembered, for it was much talked of all Europe over. He asked some of the English officers if they had not come to a better opinion of the Irish, by their behaviour during this war ; and whereas they said it was much the same that it had always been, Sarsfield answered, as low as we now are, change but kings with us, and we will fight it over again with you. Those of Limerick treated not only for themselves, but for all the rest of their countrymen that were yet in arms. They were all indemnified and restored to all that they had enjoyed in king Charles's time. They were also admitted to all the privileges of subjects, upon their taking the oaths of allegiance to their majesties, without being bound to take the oath of supremacy. Not only the French, but as many of the Irish as had a mind to go over to France, had free liberty and a safe transportation. And upon that about twelve thousand of them went over.

And thus ended the war of Ireland : and with that our civil war came to a final end. The articles of capitulation were punctually executed ; and some doubts that arose out of some ambiguous words, were explained in favour of the Irish. So earnestly desirous was the king to have all matters quieted at home, that he might direct his whole force against the enemy abroad. The English in Ireland, though none could suffer more by the continuance of the war than they did, yet were uneasy when they saw that the Irish had obtained such good conditions ; some of the more violent men among them, who were much exasperated with the wrongs that had been done them, began to call in question the legality of some of the articles : but the parliament of England did not think fit to enter upon that discussion ; nor made they any motions towards the violating the capitulation. Ginkle came over full of honour after so glorious a campaign, and was made earl of Athlone, and had noble rewards for the great service he had done ; though, without detracting from him, a large share of all that was done was due to some of the general officers, in particular to Rouvigny, made upon this earl of Galway, to Mackay, and Tallmash. Old Rouvigny being dead, his son offered his service to the king, who unwillingly accepted of it ; because he knew that an estate which

\* For more particulars concerning the public life of Richard Talbot, earl of Tyrconnel, see the *Clarendon Correspondence*. Grainger mentions him.

his father had in France, and of which he had still the income, would be immediately confiscated ; but he had no regard to that, and heartily engaged in the king's service, and has been ever since employed in many eminent posts : in all which he has acquitted himself with that great reputation, both for capacity, integrity, courage, and application, as well as success in most of his undertakings, that he is justly reckoned among the great men of the age : and to crown all, he is a man of eminent virtues, great piety, and zeal for religion.

The emperor's affairs in Hungary went on successfully this year, under the command of prince Lewis of Baden ; though he committed an error that was likely to have proved fatal to him : his stores lay near him in great boats on the Danube, but upon some design he made a motion off from that river ; of which the grand vizier took the advantage, and got into his camp between him and his stores ; so that he must either starve, or break through to come at his provisions. The Turks had not time to fortify themselves in their new camp, so he attacked them with such fury, that they were quite routed, and lost camp and cannon and a great part of their army, the grand vizier himself being killed. If the court of Vienna had really desired a peace, they might have had it upon this victory on very easy terms ; but they resolved they would be masters of all Transylvania ; and, in order to that, they undertook the siege of Great Waradin, which they were forced to turn to a blockade ; so that it fell not into their hands till the spring following. The emperor was led on by the prophecies, that assured him of constant conquests, and that he should in conclusion arrive at Constantinople itself : so that the practices of those whom the French had gained about him, had but too much matter to work on in himself.

The news of the total reduction of Ireland confirmed him in his resolutions of carrying on the war in Hungary. It was reckoned that England, being now disengaged at home, would with the rest of the protestant allies be able to carry on the war with France. And the two chief passions in the emperor's mind, being his hatred of heresy, and his hatred of France, it was said, that those about him, who served the interests of that court, persuaded him that he was to let the war go on between France, and those he esteemed heretics ; since he would be a gainer, which side soever should lose ; either France would be humbled, or the heretics be exhausted ; while he should extend his dominions and conquer infidels. The king had a sort of regard and submission to the emperor, that he had to no other prince whatsoever ; so that he did not press him, as many desired he should, to accept of a peace with the Turks, that so he might turn his whole force against France.

Germany was now more entirely united in one common interest than ever. The third party that the French had formed to obstruct the war, were now gone off from those measures, and engaged in the general interest of the empire : the two northern kings had some satisfaction given them in point of trade, that so they might maintain their neutrality : and they were favourable to the allies, though not engaged with them. The king of Sweden, whom the French were pressing to offer his mediation for a peace, wrote to the duke of Hanover, assuring him he would never hearken to that proposition, till he had full assurances from the French, that they would own the present government of England.

That duke, who had been long in a French management, did now break off all commerce with that court, and entered into a treaty both with the emperor and with the king. He promised great supplies against France and the Turk, if he might be made an elector of the empire : in which the king concurred to press the matter so earnestly at the court of Vienna, that they agreed to it, in case he could gain the consent of the other electors ; which the emperor's ministers resolved to oppose, underhand, all they could. He quickly gained the consent of the greater number of the electors ; yet new objections were still made. It was said, that if this was granted, another electorate in a popish family ought also to be created, to balance the advantage that this gave the Lutherans ; and they moved that Austria should be made an electorate. But this was so much opposed, since it gave the emperor two votes in the electoral college, that it was let fall. In conclusion, after a year's negotiation, and a great opposition, both by popish and protestant princes, (some of the latter considering more their jealousies of the house of Hanover than the interest of their religion,) the investiture was given, with the title of elector of Brunswick and great marshal of the empire. The

French opposed this with all the artifices they could set at work. The matter lay long in an unsettled state: nor was he now admitted into the college; it being said that the unanimous consent of all the electors must be first had.

The affairs of Savoy did not go on so prosperously as was hoped for: Caraffa, that commanded the imperial army, was more intent on raising contributions than on carrying on the war: he crossed every good motion that was made: Montmelian was lost, which was chiefly imputed to Caraffa: the young duke of Schomberg, sent thither to command those troops that the king paid, undertook to relieve the place, and was assured that many protestants in Dauphiny would come and join him. But Caraffa, and indeed the court of Turin, seemed to be more afraid of the strength of heresy than of the power of France; and chose to let that important place fall into their hands, rather than suffer it to be relieved by those they did not like. When the duke of Savoy's army went into quarters, Caraffa obliged the neighbouring princes and the state of Genoa to contribute to the subsistence of the imperial army, threatening them otherwise with winter quarters; so that how ill soever he managed the duke of Savoy's concerns, he took care of his own. He was recalled upon the complaints made against him on all hands, and Caprara was sent to command in his room.

The greatest danger lay in Flanders, where the feebleness of the Spanish government did so exhaust and weaken the whole country, that all the strength of the confederate armies was scarce able to defend it: the Spaniards had offered to deliver it up to the king, either as he was king of England, or as he was stadtholder of the United Provinces. He knew the bigotry of the people so well, that he was convinced it was not possible to get them to submit to a protestant government: but he proposed the elector of Bavaria, who seemed to have much heat, and an ambition of signalising himself in that country, which was then the chief scene of war: and he could support that government by the troops and treasure that he might draw out of his electorate: besides, if he governed that country well, and acquired a fame in arms, that might give him a prospect of succeeding to the crown of Spain in the right of his electoress, who, if the house of Bourbon was set aside, was next in that succession. The Spaniards agreed to this proposal; but they would not make the first offer of it to that elector, nor would he ask it; and it stuck for some time at this: but the court of Vienna adjusted the matter by making the proposition, which the elector accepted: and that put a new life into those oppressed and miserable provinces.

This was the general state of affairs when a new session of parliament was opened at Westminster, and then it appeared that a party was avowedly formed against the government. They durst not own that before, while the war of Ireland continued. But now, since that was at an end, they began to infuse into all people that there was no need of keeping up a great land army, and that we ought only to assist our allies with some auxiliary troops, and increase our force at sea. Many that understood not the state of foreign affairs were drawn into this conceit, not considering that, if Flanders was lost, Holland must submit and take the best terms they could get. And the conjunction of those two great powers at sea, must presently ruin our trade, and in a little time subdue us entirely. But it was not easy to bring all people to apprehend this aright; and those who had ill intentions would not be beaten out of it, but covered worse designs with this pretence: and this was still kept up as a prejudice against the king and his government, that he loved to have a great army about him; and that when they were once modelled, he would never part with them, but govern in an arbitrary way as soon as he had prepared his soldiers to serve his ends.

Another prejudice had more colour and as bad effects. The king was thought to love the Dutch more than the English, to trust more to them, and to admit them to more freedom with him. He gave too much occasion to a general disgust, which was spread both among the English officers and the nobility: he took little pains to gain the affections of the nation, nor did he constrain himself enough to render his government more acceptable: he was shut up all the day long; and his silence, when he admitted any to an audience, distasted them as much as if they had been denied it. The earl of Marlborough thought that the great services he had done, were not acknowledged, nor rewarded, as they well deserved,

and began to speak like a man discontented. And the strain of all the nation almost was, that the English were overlooked, and the Dutch were the only persons favoured or trusted. This was national: and the English being too apt to despise other nations, and being of more lively tempers than the Dutch, grew to express a contempt and an aversion for them, that went almost to a mutiny. It is true the Dutch behaved themselves so well and so regularly in their quarters, and paid for everything so punctually, whereas the English were apt to be rude and exacting; especially those who were all this winter coming over from Ireland, who had been so long in an enemy's country that they were not easily brought into order; so that the common people were generally better pleased with the Dutch soldiers than with their own countrymen, but it was not the same as to the officers. These seeds of discontent were carefully managed by the enemies of the government; and by those means matters went on heavily in the house of commons. The king was also believed to be so tender in every point that seemed to relate to his prerogative, that he could not well bear anything that was a diminution of it: and he was said to have taken a dislike and mistrust of all those whose notions leaned to public liberty, though those were the persons that were the firmest to him, and the most zealous for him. The men whose notions of the prerogative were the highest were suspected to be Jacobites: yet it was observed that many of these were much courted, and put into employments, in which they showed so little affection to the government, and so close a correspondence with its professed enemies, that it was generally believed they intended to betray it. The blame of employing these men was cast on the earl of Nottingham, who, as the Whigs said, infused into the king jealousies of his best friends, and inclined him to court some of his bitterest enemies.

The taking off parliament men, who complained of grievances, by places and pensions, was believed to be now very generally practised. Seymour, who had in a very injurious manner not only opposed everything, but had reflected on the king's title and conduct, was this winter brought into the treasury and the cabinet council: yet, though a great opposition was made and many delays contrived, all the money that was asked was at length given. Among the bills that were offered to the king at the end of the session, one was to secure the judges' salaries, and to put it out of the king's power to stop them. The judges had their commission during their good behaviour; yet their salaries were not so secured to them, but that these were at the king's pleasure. But the king put a stop to this, and refused to pass the bill; for it was represented to him, by some of the judges themselves, that it was not fit they should be out of all dependence on the court; though it did not appear that there was any hurt in making judges in all respects free and independent. A parliament was summoned to meet in Ireland, to annul all that had passed in king James's parliament; to confirm anew the act of settlement; and to do all other things that the broken state of that impoverished island required; and to grant such supplies as they could raise, and as the state of their affairs would permit.

Affairs in Scotland were put in another method: lord Tweedale was made lord chancellor, and not long after a marquis in that kingdom: lord Melvill was put in a less important post, and most of his creatures were laid aside: but several of those who had been in Montgomery's plot were brought into the council and ministry. Johnston, who had been sent envoy to the elector of Brandenburg, was called home and made secretary of state for that kingdom. It began soon to appear in Scotland how ill the king was advised, when he brought in some of the plotters into the chief posts of that government: as this disgusted the presbyterians, so it was very visible that those pretended converts came into his service, only to have it in their power to deliver up that kingdom to king James. They scarcely disguised their designs; so that the trusting such men amazed all people. The presbyterians had very much offended the king, and their fury was instrumental in raising great jealousies of him in England: he well foresaw the ill effects this was likely to have, and therefore he recommended to a general assembly, that met this winter, to receive the episcopal clergy, to concur with them in the government of the church, upon their desiring to be admitted: and in case the assembly could not be brought to consent to this, the king ordered it to be dissolved, without naming any other time or place of meeting. It was not likely that there could be any agreement, where both parties were so much inflamed one against another:

and those who had the greatest credit with both, studied rather to exasperate than to soften them. The episcopal party carried it high: they gave it out that the king was now theirs, and that they were willing to come to a concurrence with presbytery, on design to bring all about to episcopacy in a little time. The presbyterians, who at all times were stiff and peevish, were more than ordinarily so at this time: they were jealous of the king; their friends were now disgraced, and their bitterest enemies were coming into favour: so they were surly, and would abate in no point of their government: and upon that the assembly was dissolved. But they pretended that by law they had a right to an annual meeting, from which nothing could cut them off; for they said, according to a distinction much used among them, that the king's power of calling synods and assemblies was cumulative, and not privative: that is, he might call them if he would, and appoint time and place; but that, if he did not call them, they might meet by an inherent right that the church had, which was confirmed by law: therefore they adjourned themselves. This was represented to the king as a high strain of insolence that invaded the rights of the crown, of which he was become very sensible. Most of those who came now into his service, made it their business to incense him against the presbyterians, in which he was so far engaged, that it did alienate that party much from him.

There was at this time, a very barbarous massacre committed in Scotland, which showed both the cruelty and the treachery of some of those who had unhappily insinuated themselves into the king's confidence. The earl of Bredalbane formed a scheme of quieting all the Highlanders, if the king would give twelve or fifteen thousand pounds for doing it, which was remitted down from England: and this was to be divided among the heads of the tribes or clans of the highlanders. He employed his emissaries among them, and told them the best service they could do king James, was to lie quiet, and reserve themselves to a better time: and if they would take the oaths, the king would be contented with that, and they were to have a share of this sum that was sent down to buy their quiet. But this came to nothing; their demands rose high; they knew this lord had money to distribute among them; they believed he intended to keep the best part of it to himself; so they asked more than he could give. Among the most clamorous and obstinate of these were the Maedonalds of Glencoe, who were believed guilty of much robbery and many murders, and so had gained too much by their pilfering war to be easily brought to give it over. The head of that vally had so particularly provoked lord Bredalbane, that as his scheme was quite defeated by the opposition that he raised, so he designed a severe revenge. The king had, by a proclamation, offered an indemnity to all the Highlanders that had been in arms against him, upon their coming in, by a prefixed day, to take the oaths: the day had been twice or thrice prolonged, and it was at last carried to the end of the year 1691; with a positive threatening of proceeding to military execution against such as should not come into his obedience by the last day of December.

All were so terrified that they came in; and even that Macdonald went to the governor of Fort William, on the last of December, and offered to take the oaths; but he, being only a military man, could not, or would not, tender them, and Macdonald was forced to seek for some of the legal magistrates to tender them to him. The snows were then fallen, so four or five days passed before he could come to a magistrate: he took the oaths in his presence, on the fourth or fifth of January, when, by the strictness of law, he could claim no benefit by it. The matter was signified to the council, and the person had a reprimand for giving him the oaths when the day was past.

This was kept up from the king: and the earl of Bredalbane came to court to give an account of his diligence, and to bring back the money, since he could not do the service for which he had it. He informed against this Maedonald, as the chief person who had defeated that good design: and that he might both gratify his own revenge, and render the king odious to all the Highlanders, he proposed that orders should be sent for a military execution on those of Glencoe. An instruction was drawn by the secretary of state, lord Stair, to be both signed and countersigned by the king (that so he might bear no part of the blame, but that it might lie wholly on the king), that such as had not taken the oaths by the time limited should be shut out of the benefit of the indemnity, and be received only upon mercy.

But when it was found that this would not authorise what was intended, a second order was got to be signed and countersigned, that if the Glencoe men could be separated from the rest of the Highlanders, some examples might be made of them, in order to strike terror into the rest. The king signed this without any inquiry about it; for he was too apt to sign papers in a hurry, without examining the importance of them. This was one effect of his slowness in dispatching business; for, as he was apt to suffer things to run on till there was a great heap of papers laid before him, so then he signed them a little too precipitately. But all this while the king knew nothing of Macdonald's offering to take the oaths within the time, nor of his having taken them, soon after it was passed, when he came to a proper magistrate. As these orders were sent down, the secretary of state wrote many private letters to Livingston, who commanded in Scotland, giving him a strict charge and particular directions for the execution of them: and he ordered the passes in the valley to be kept, describing them so minutely, that the orders were certainly drawn by one who knew the country well. He gave also a positive direction that no prisoners should be taken, that so the execution might be as terrible as was possible. He pressed this upon Livingston with strains of vehemence that looked as if there was something more than ordinary in it: he indeed grounded it on his zeal for the king's service, adding, that such rebels and murderers should be made examples of.

In February a company was sent to Glencoe, who were kindly received and quartered over the valley; the inhabitants thinking themselves safe, and looking for no hostilities. After they had staid a week among them, they took their time in the night and killed about six-and-thirty of them, the rest taking the alarm and escaping. This raised a mighty outcry, and was published by the French in their gazettes, and by the jacobites in their libels, to cast a reproach on the king's government as cruel and barbarous; though in all other instances it had appeared that his own inclinations were gentle and mild rather to an excess. The king sent orders to enquire into the matter; but when the letters written upon this business were all examined, which I myself read, it appeared that so many were involved in the matter, that the king's gentleness prevailed on him to a fault; and he contented himself with dismissing only the master of Stair from his service. The Highlanders were so inflamed with this, that they were put in as forward a disposition as the jacobites could wish for to have rebelled upon the first favourable opportunity: and indeed the not punishing this with a due rigour was the greatest blot in this whole reign, and had a very great effect in alienating that nation from the king and his government\*.

An incident happened near the end of this session that had very ill effects; which I unwillingly mention, because it cannot be told without some reflections on the memory of the queen, whom I always honoured beyond all the persons I had ever known. The earl of Nottingham came to the earl of Marlborough with a message from the king, telling him that he had no more use for his services, and therefore he demanded all his commissions. What drew so sudden and so hard a message was not known; for he had been with the king that morning, and had parted with him in the ordinary manner. It seemed some letter was intercepted, which gave suspicion: it is certain that he thought he was too little considered, and that he had upon many occasions censured the king's conduct, and reflected on the Dutch. But the original cause of his disgrace arose from another consideration: the princess

\* A very interesting anecdote, connected with this cruel massacre, is told by colonel Stewart, in his "Sketches of the Highlands." He relates that the belief that punishment for cruelty, oppression, or misconduct, in an individual, descended as a curse on his children, to the third and fourth generation, was not confined to the common people—all ranks were influenced by this belief. The late colonel Campbell, of Glenlyon, retained this creed during a thirty years' intercourse with the world, as an officer in the 42nd regiment. He was grandson of the laird of Glenlyon, who commanded the military at the massacre of Glencoe. In the year 1771, he was ordered to superintend the execution of a soldier, condemned to death by the sentence of a court martial. A reprieve, in the mean time, arrived, with an order that the ceremony

should proceed till the very moment of execution, when it was directed to supersede the fatal order to fire. The colonel gave strict orders to the men not to fire till he pulled a white handkerchief from his pocket as the signal. When all was prepared, and the clergyman had performed the last sacred rites of religion, the colonel pulled the reprieve from his pocket—but with it the white handkerchief; at the sight of which twenty bullets pierced the heart of the reprieved victim! The paper dropped from the colonel's hand, and, striking his forehead, he exclaimed in unutterable agony, "The curse of God and of Glencoe is here." He instantly retired from the service, and wept over this unfortunate accident till the day of his death.

thought herself too much neglected by the king, whose cold way towards her was soon observed : after the king was on the throne, no propositions were made to her of a settlement, nor any advances of money. So she, thinking she was to be kept in a necessitous dependence on the court, got some to move in the house of commons, in the year 1690, when they were in the debate concerning the revenue, that she should have assignments suitable to her dignity. This both king and queen took amiss from her : the queen complained more particularly that she was then ill, after the lying-in of the duke of Gloucester at Hampton Court, and that she herself was treating her and the young child with the tenderness of a mother, and that yet such a motion was made before she had tried, in a private way, what the king intended to assign her. The princess, on the other hand, said she knew the queen was a good wife, submissive and obedient to every thing that the king desired ; so she thought the best way was to have a settlement by act of parliament. On the other hand, the custom had always been that the royal family (a prince of Wales not excepted) was kept in a dependence on the king, and had no allowance but from his mere favour and kindness ; yet in this case, in which the princess was put out of the succession during the king's life, it seemed reasonable that somewhat more than ordinary should be done in consideration of that. The act passed, allowing her a settlement of fifty thousand pounds. But upon this a coldness followed, between not only the king, but even the queen, and the princess. And the blame of this motion was cast on the countess of Marlborough, as most in favour with the princess : and this had contributed much to alienate the king from her husband, and had disposed him to receive ill impressions of him.

Upon his disgrace, his lady was forbidden the court. The princess would not submit to this ; she thought she ought to be allowed to keep what persons she pleased about herself. And when the queen insisted on the thing, she retired from the court. There were, no doubt, ill offices done on all hands, as there were some that pressed the princess to submit to the queen, as well as others who pressed the queen to pass it over, but without effect : both had engaged themselves before they had well reflected on the consequences of such a breach : and the matter went so far, that the queen ordered that no public honours should be shown the princess, besides many other lesser matters, which I unwillingly reflect on, because I was much troubled to see the queen carry such a matter so far : and the breach continued to the end of her life. The enemies of the government tried what could be made of this to create distractions among us : but the princess gave no encouragement to them. So that this misunderstanding had no other effect, but that it gave enemies much ill-natured joy and a secret spiteful diversion\*.

The king gave Russel the command of the fleet ; though he had put himself on ill terms with him, by pressing to know the grounds of the earl of Marlborough's disgrace : he had not only lived in great friendship with him, but had carried the first messages that had passed between him and the king when he went over to Holland : he almost upbraided the king with the earl of Marlborough's services, who, as he said, had set the crown on his head. Russel also came to be on ill terms with the earl of Nottingham, who, as he thought, supported a faction among the flag officers against him : and he fell indeed into so ill an humour on many accounts, that he seemed to be for some time in doubt whether he ought to undertake the command of the fleet or not. I tried, at the desire of some of his friends, to soften him a little, but without success.

The king went over to Holland in March to prepare for an early campaign. He intimated somewhat in his speech to the parliament of a descent designed upon France ; but we had neither men nor money to execute it. And, while we were pleasing ourselves with the thoughts of a descent on France, king James was preparing for a real one on England. It was intended to be made in the end of April : he had about him fourteen thousand English and Irish : and marshal Belfonds was to accompany him with about three thousand French.

\* A lengthy account of this affair is given in the duchess of Marlborough's letters, published in 1742, in which she terms this "the famous quarrel." It is accompanied by a long letter from queen Mary to the princess Anne, insisting upon her breaking with the Marlboroughs *instanter*, and threatening the royal displeasure, &c. in case of disobedience. This is followed by Anne's answer, dated February 2nd, 1692, remonstrating, and another letter closing the correspondence by a positive refusal.

They were to sail from Cherbourg and La Hogue, and some other places in Normandy, and to land in Sussex, and from thence to march with all haste to London. A transport fleet was also brought thither: they were to bring over only a small number of horses; for their party in England undertook to furnish them with horses at their landing. At the same time the king of France was to march with a great army into Flanders; and he reckoned that the descent in England would either have succeeded, since there was a very small force left within the kingdom, or at least that it would have obliged the king to come over with some of his English troops: and in that case, which way soever the war of England had ended, he should have mastered Flanders, and so forced the States to submit: and in case other designs had failed there was one in reserve, managed by the French ministry and by Luxembourg, of assassinating the king, which would have brought about all their designs. The French king seemed to think the project was so well laid that it could not miscarry; for he said publicly, before he set out, that he was going to make an end of the war. We in England were all this while very secure, and did not apprehend we were in any danger. Both the king and his secretaries were much blamed for taking so little care to procure intelligence: if the winds had favoured the French, they themselves would have brought us the first news of their design: they sent over some persons to give their friends notice but a very few days before they reckoned they should be on our coast: one of these was a Scotchman, and brought the first discovery to Johnstoun: orders were presently sent out to bring together such forces as lay scattered in quarters: and a squadron of our fleet that was set to sea was ordered to lay on the coast of Normandy; but the heavens fought against them more effectually than we could have done. There was for a whole month together such a storm that lay on their coast, that it was not possible for them to come out of their ports; nor could marshal D'Estrees come about with the squadron from Toulon, so soon as was expected. In the beginning of May, about forty of our ships were on the coast of Normandy, and were endeavouring to destroy their transport ships: upon which, orders were sent to marshal Tourville to sail to the channel and fight the English fleet. They had a westerly wind to bring them within the channel, but then the wind struck into the east, and stood so long there, that it both brought over the Dutch fleet and brought about our great ships. By this means our whole fleet was joined: so that Tourville's design of getting between the several squadrons that composed it was lost. The king of France, being then in Flanders, upon this change of wind, sent orders to Tourville not to fight: yet the vessel that carried these was taken, and the duplicate of these orders, that was sent by another conveyance, came not to him till the day after the engagement.

On the nineteenth of May, Russel came up with the French, and was almost twice their number; yet not above the half of his ships could be brought into the action, by reason of the winds: Rook, one of his admirals, was thought more in fault. The number of the ships that engaged was almost equal: our men said that the French neither showed courage nor skill in the action. The night and a fog separated the two fleets, after an engagement that had lasted some hours. The greatest part of the French ships drew near their coasts; but Russel not casting anchor, as the French did, was carried out by the tide: so next morning he was at some distance from them. A great part of the French fleet sailed westward through a dangerous sea, called the Race of Alderney: Ashby was sent to pursue them; and he followed them some leagues: but then the pilots pretending danger, he came back: so twenty-six of them, whom if Ashby had pursued, by all appearance, he had destroyed them all, got into St. Malo's. Russel came up to the French admiral and the other ships that had drawn near their coasts. Delaval burnt the Admiral and his two seconds; and Rock burnt sixteen more before La Hogue\*.

\* It is said that Louis the Fourteenth, knowing that admiral Russel was avaricious, sent him 20,000*l.*, requesting him not to fight on this occasion, but to manoeuvre. Under pretence of deliberating, he sent to William the Third, to know how he was to act. The answer was laconic—"Take the money, and beat them." William raised him in 1697 to the peerage, by the title of the earl

of Orford in Suffolk, and viscount Barfleur in Normandy. His various services and reverses will be noticed in future pages. He died in 1727. That he was avaricious seems admitted; but he was beloved in private life, and idolised by his sailors. One of his festivals had an accompaniment quite in the nautical style. He had made a *cistern* of punch, composed of four hogsheads of brandy, eight

It was believed, that if this success had been pursued with vigour, considering the consternation with which the French were struck upon such an unusual and surprising blow, that this victory might have been carried much farther than it was. But Russel was provoked by some letters and orders that the earl of Nottingham sent him from the queen, which he thought were the effects of ignorance : and upon that he fell into a crossness of disposition : he found fault with every order that was sent him ; but would offer no advices on his part. And he came soon after to St. Helen's, which was much censured ; for though the disabled ships must have been sent in, yet there was no such reason for bringing in the rest that were not touched. Cross winds kept them long in port ; so that a great part of the summer was spent before he went out again. The French had recovered out of the first disorder which had quite dispirited them. A descent in France came to be thought on when it was too late : about seven thousand men were shipped, and it was intended to land them at St. Malo's ; but the seamen were of opinion that neither there nor any where else a descent was then practicable. They complained that the earl of Nottingham was ignorant of sea affairs, and yet that he set on propositions relating to them, without consulting seamen, and sent orders which could not be obeyed without endangering the whole fleet. So the men who were thus shipped lay some days on board, to the great reproach of our counsels : but that we might not appear too ridiculous, both at home and abroad, by landing them again in England, the king ordered them to be sent over to Flanders, after they had been for some weeks on shipboard. And so our campaign at sea, that began so gloriously, had a poor conclusion. The common reflection that was made on our conduct was, that the providence of God and the valour of our men had given us a victory, of which we knew not what use to make ; and, which was worse, our merchants complained of great losses this summer ; for the French having laid up their fleet, let their seamen go and serve in privateers, with which they watched all the motions of our trade : and so by an odd reverse of things, as we made no considerable losses, while the French were masters of our sea two years before, so now, when we triumphed on that element, our merchants suffered the most. The conclusion of all was Russel complained of the ministry, particularly of the earl of Nottingham ; and they complained no less of him ; and the merchants complained of the admiralty : but they, in their own defence, said that we had not ships nor seamen, both to furnish out a great fleet and at the same time to send out convoys for securing the trade.

In Flanders the design, to which the French trusted most, failed : that was laid for assassinating the king : one Grandval had been in treaty with Louvois about it ; and it was intended to be executed the former year. He joined with Du Mont to follow the king and shoot him as he was riding about in his ordinary way, moving slowly, and visiting the posts of his army. The king of France had lost two ministers one after another. Seignelay died first, who had no extraordinary genius himself ; but he knew all his father's methods, and pursued them so, that he governed himself both by his father's maxims and with his tools. Louvois did not survive him long ; he had more fire, and so grew uneasy at the authority madame de Maintenon took in things which she could not understand : and was in conclusion so unacceptable to the king, that once, when he flung his bundle of papers down upon the floor before him, upon some provocation, the king lifted up his cane : but the lady held him from doing more : yet that affront, as was given out, sunk so deep into Louvois' spirits, that he died suddenly a few days after. Some said it was of an apoplexy ; others suspected poison : for a man that knew so many secrets would have been dangerous if he had outlived his favour. His son, Barbesieux, had the survivance of his place, and continued in it for some years ; but, as he was young, so he had not a capacity equal to the post. He found, among his father's papers, a memorandum of this design of Grandval's : so he sent for him, and resolved to pursue it ; in which madame de Maintenon concurred, and Luxembourg was trusted with the direction of it. Du Mont retired this winter to Zell, as one that had forsaken the French service : from some practices and discourses of his a

hogsheads of water, twenty-five thousand lemons, twenty gallons of lime juice, thirteen hundred pounds of sugar, five pounds of grated nutmegs, three hundred toasted biscuits, and a pipe of mountain wine. Persons in a small boat

filled for all comers, and more than six thousand persons partook of this Caspian bowl.—Noble's Continuation of Grainger.

suspicion arose, of which sir William Colt, the king's envoy there, gave notice : so one Leefdale, a Dutch papist, was secretly sent to Paris, as a person that would enter into the design ; but, in reality, went on purpose to discover it.

Grandval and he came back to Flanders to set about it : but Leefdale brought him into a party that seized on him. Both king James and his queen were, as Grandval said, engaged in the design : one Parker, whom they employed in many black designs, had concerted the matter with Grandval, as he confessed, and had carried him to king James, who encouraged him to go on with it, and promised great rewards. When Grandval saw there was full proof against him, he confessed the whole series of the management without staying till he were put to the torture. Mr. Morel, of Berne, a famous medalist (who had for some years the charge of the French king's cabinet of medals, but being a protestant, and refusing to change his religion, was kept a close prisoner in the Bastile for seven years), was let out in April this year. And, before he left Paris, his curiosity carried him to St. Germain's, to see king James : he happened both to go and come back in the coach with Grandval ; and while he was there he saw him in private discourse with king James : Grandval was full of this project, and, according to the French way, he talked very loosely to Morel, not knowing who he was ; but fancied he was well affected to that court. He said there was a design in hand that would confound all Europe : for the prince of Orange, so he called the king, would not live a month. This Morel wrote over to me in too careless a manner ; for he directed his letter with his own hand, which was well known at court ; yet it came safe to me. The king gave orders that none belonging to him should go near Grandval, that there might be no colour for saying that the hopes of life had drawn his confession from him : nor was he strictly interrogated concerning circumstances ; but was left to tell his story as he pleased himself. He was condemned ; and suffered with some slight remorse for going into a design to kill a king. His confession was printed. But how black soever it represented the court of France, no notice was taken of it : nor did any of that court offer to disown or disprove it, but let it pass and be forgotten : yet so blind and violent was their party among us, that they resolved they would believe nothing that either blemished king James or the French court.

But though this miscarried, the French succeeded in the siege of Namur, a place of great importance, that commanded both the Maese and Sambre, and covered both Liege and Maestricht : the town did soon capitulate, but the citadel held out much longer. The king came with a great army to raise the siege : Luxembourg lay in his way with another to cover it, and the Mehaigne lay between. The king intended to pass the river and force a battle ; but such rains fell the night before he designed to do it, and the river swelled so much, that he could not pass it for some days : he tried, by another motion, to come and raise the siege. But the town having capitulated so early, and the citadel laying on the other side of the Sambre, he could not come at it : so after a month's siege it was taken. This was looked on as the greatest action of the French king's life ; that, notwithstanding the depression of such a defeat at sea, he yet supported his measures so as to take that important place in the view of a great army. The king's conduct was on this occasion much censured : it was said, he ought to have put much to hazard, rather than suffer such a place to be taken in his sight.

After Namur surrendered, that king went back to Paris in his usual method ; for, according to the old Persian luxury, he used to bring the ladies with him, with the music, poems, and scenes, for an opera and a ball ; in which he and his actions were to be set out with the pomp of much flattery. When this action was over, his forces lay on the defensive, and both armies made some motions, watching and waiting on one another.

At Steenkirk, the king thought he had a favourable occasion for attacking the French in their camp ; but the ground was found to be narrower and less practicable than the king had been made to believe it was. Ten battalions began the attack, and carried a post with cannon, and maintained it long, doing great execution on the enemy ; and if they had been supported or brought off it would have proved a brave attempt ; but they were cut in pieces. In the whole action the French lost many more men than the confederates did, for they came so thick that our fire made great execution. The conduct of this affair was much

censured. It was said, the ground ought to have been better examined before the attack was begun, and the men ought to have been better maintained than they were: for many thought that, if this had been done, we might have had a total victory. Count Solms bore the blame of the errors committed on this occasion. The English had been sometimes checked by him, as he was much disgusted with their heat and pride: so they charged all on him, who had some good qualities; but did not manage them in an obliging manner. We lost in this action about five thousand men, and many brave officers. Here Mackay was killed, being ordered to a post that he saw could not be maintained: he sent his opinion about it; but the former orders were confirmed: so he went on, saying only, “The will of the Lord be done.” He was a man of such strict principles, that he would not have served in a war that he did not think lawful. He took great care of his soldiers’ morals, and forced them to be both sober and just in their quarters: he spent all the time that he was master of in secret prayers, and in reading of the Scriptures. The king often observed that when he had full leisure for his devotions, he acted with a peculiar exaltation of courage. He had one very singular quality: in councils of war he delivered his opinion freely, and maintained it with due zeal; but how positive soever he was in it, if the council of war overruled, even though he was not convinced by it, yet to all others he justified it, and executed his part with the same zeal as if his own opinion had prevailed. After the action at Steenkirk, there was little done this campaign. A detachment that the king sent from his army, joined with those bodies that came from England, broke in some way into the French conquests: they fortified Dixmuyde and Furness, and put the country about them under contribution, and became very uneasy neighbours to Dunkirk. The command of those places was given to the count of Horn, who understood well the way to make all possible advantages by contributions; but he was a man of no great worth, and of as little courage. This disgusted the English still more; who said the Dutch were always trusted and preferred, while they were neglected. They had some colour to censure this choice the following winter; for, upon the motion of some French troops, Horn (without studying to amuse the enemy, or to gain time, upon which much may depend in winter) did immediately abandon Dixmuyde. All he had to justify himself was a letter from the elector of Bavaria, telling him that he could send him no relief; and therefore he ordered him to take care of the garrison, which was of more importance than the place itself. Thus the campaign ended in Flanders; Namur was lost; the reputation of the king’s conducting armies was much sunk; and the English were generally discontented, and alienated from the Dutch.

Nothing was done on the Rhine. The elector of Saxony had promised to bring an army thither; but Shening, his general, who had great power over him, was gained by the French to break his design. The duke of Saxony complained that the emperor favoured the circles of Franconia and Swabia so much, that he could have no good quarters assigned him for his army: and upon this occasion it was said that the emperor drew much money from those circles, that they might be covered from winter quarters; and that he applied all that to carrying on the war in Hungary; and so left the weight of the war with France to lie very heavy on the princes of the empire. This contest went on so high, that Shening, who was thought the ill instrument in it, going for his health to the hot baths in Bohemia, was seized on by the emperor’s orders; upon which great expostulations passed between the courts of Vienna and Dresden. There were two small armies that acted separately on the Rhine, under the command of the landgrave of Hesse and the marquis of Bareith: but they were not able to cover the empire: and another small army, brought together by the duke of Württemberg, for the defence of his country, was totally defeated: not only cannon and baggage, but the duke himself, fell into the enemy’s hands.

But though the emperor did, as it were, abandon the empire to the French, he made no great progress in Hungary: the Turks lay upon the defensive, and the season was spent in motions, without either battle or siege. There was still some discourse, but no great probability, of peace. Two English ambassadors dying, the one sir Thomas Hussian, soon after his arrival at Constantinople, and the other, Mr. Harbord, on his way thither: the lord Paget, then our ambassador at the emperor’s court, was ordered to go thither, to mediate the peace. He found the mediation was, in a great measure, spoiled by the Dutch ambassador before

his arrival ; for he had been prevailed on, by the court of Vienna, to offer the mediation of the Dutch upon a very high scheme. Caminieck and the Ukraine, and Podolia, with Moldavia and Valachia, were demanded for Poland : Transylvania, with the person of count Tekeli, for the emperor ; and Achaia and Livadia, as an antemurale to cover the Morea, for the Venetians. The court of Vienna, by offering such a project, reckoned the war must go on, which they desired. The ministers of the Porte, who were gained by the French to carry on the war, were glad to see so high a project : they were afraid of tumults ; so they spread this project over the whole empire, to show on what ignominious terms the mediation was proposed ; and by that they justified their going on with the war. But the lord Paget offered the king's mediation upon another project ; which was, that every prince was to keep what he was then possessed of : and Caminieck was only demanded to be razed. If this had been offered at first, the Ottoman court durst not have refused it ; the people were become so weary under a long and unprosperous war : but the vizier suppressed this, and made it still pass among them, that the English pressed the same project that the Dutch had proposed ; which was the more easily believed there, because how ignorant soever they were at that court, they knew well what an interest the king of England had in the States. So the war was still carried on there : and Trumball, who came over to England at this time, told the king that if, instead of sending embassies, he would send a powerful fleet into the Mediterranean, to destroy the French trade and stop the commerce with Turkey, he would quickly bring that court to other measures, or raise such tumults among them as would set that empire, and even Constantinople itself, all in a flame.

In Piedmont, the campaign was opened very late, and the French were on the defensive ; so the duke of Savoy entered into Dauphiny with an army ; and if he had carried on that attempt with the spirit with which he began it, he had put the affairs of France on that side into great disorder ; but he was either ill served or betrayed in it : he sat down before Ambrun, and besieged it in form : so that a place, which he might have carried in three days, cost him some weeks : and in every step he made it appear there was either a great feebleness, or much treachery, in his counsels. He made no great progress ; yet the disorder it threw that and the neighbouring provinces into was very great. He was stopped by the small-pox, which saved his honour as much as it endangered his person : the retreat of his army, when his life was in danger, looked like a due caution. He recovered of the small-pox, but a ferment remained still in his blood, and broke out so often into feverish relapses, that it was generally thought he was poisoned. Many months passed before he was out of danger. So the campaign ended there with considerable losses to the French, but with no great advantage to the duke. The greatest prejudice the French suffered this year was from the season : they had a very bad harvest and no vintage in the northern parts. We in England had great apprehensions of as bad a harvest from a very cold and wet summer. Great deluges of rain continued till the very time of reaping. But, when we were threatened with a famine, it pleased God to send such an extraordinary change of the season, that we had a very plentiful crop ; enough both to serve ourselves and to supply our neighbours, which made us easy at home, and brought in much wealth for that corn which we were able to spare.

In the beginning of September there was an earthquake felt in most places in England, and was at the same time felt in many parts of France, Germany, and the Netherlands. No harm was done by it, though it continued for three or four minutes. I can write nothing of it from my own observation, for it was not sensible in the place where I happened to be at that time ; nor can it be determined whether this had any relation to those terrible earthquakes that happened some months after this in Sicily and Malta, upon which I cannot enlarge, having seen no other account of them than what was in public gazettes, which represented them as the most dreadful by much of any that are in history : it was estimated that about one hundred thousand persons perished by them in Sicily. It is scarcely to be imagined that the earthquake, which about the same time destroyed the best part of the chief town in Jamaica, could have any connection with these in Europe. These were very extraordinary things, which made those who studied apocalyptic matters imagine that the

end of the world drew near. It had been happy for us if such dismal accidents had struck us with a deeper sense of the judgments of God.

We were indeed brought to more of an outward face of virtue and sobriety: and the great examples that the king and queen set the nation had made some considerable alterations as to public practices, but we became deeply corrupted in principle: a disbelief of revealed religion, and a profane mocking at the Christian faith and the mysteries of it, became avowed and scandalous. The queen, in the king's absence, gave orders to execute the laws against drunkenness, swearing, and the profanation of the Lord's day, and sent directions over England to all magistrates to do their duty in executing them; to which the king joined his authority upon his return to England. Yet the reformation of manners, which some zealous men studied to promote, went on but slowly: many of the inferior magistrates were not only remiss but very faulty themselves: they did all they could to discourage those who endeavoured to have vice suppressed and punished: and it must be confessed that the behaviour of many clergymen gave atheists no small advantage: they had taken the oaths and read the prayers for the present government; they observed the orders for public fasts and thanksgivings; and yet they showed in many places their aversion to our establishment but too visibly: so that the offence that this gave in many parts of the nation was too evident: in some places it broke out in very indecent instances, that were brought into courts of law and censured. This made many conclude that the clergy were a sort of men that would swear and pray even against their consciences rather than lose their benefices; and by consequence that they were governed by interest and not by principle. The jacobites grew still to be more and more outrageous, while the clergy seemed to be neutrals in the dispute; and, which was yet the most extraordinary thing in the whole matter, the government itself acted with so much remissness, and so few were enquired after or punished, that those who were employed by the king behaved themselves in many places as if they had secret instructions to be heavy upon his best friends, and to be gentle to his enemies. Upon the whole matter, the nation was falling under such a general corruption, both as to morals and principles, and that was so much spread among all sorts of people, that it gave us great apprehensions of heavy judgments from Heaven\*.

The session of parliament was opened under great disadvantages. The earl of Marlborough and some other peers had been put in the Tower upon a false accusation of high treason, which was evidently proved to be a conspiracy, designed by some profligate creatures, who fancied that forgeries and false-swearings would be as acceptable and as well rewarded in this reign as they had been formerly. But, till this was detected, the persons accused were kept in prison, and were now only out upon bail: so it was said to be contrary to the nature and freedom of parliaments for prisoners to sit in it. It was confessed that in times of danger, and such was the former summer, it must be trusted to the discretion of a government, to commit such persons as were suspected: but when the danger was over, by our victory at sea, those against whom there lay nothing besides suspicions, ought to have been set at liberty: and this was thought reasonable. There was an association pretended to be drawn against the government, to which the subscriptions of many lords were set so dexterously, that the lords themselves said they could not distinguish between their true subscriptions and those that were forged for them. But the manner of the discovery, with several other circumstances, carried such marks of imposture, that the lords of the council ordered a strict prosecution of all concerned in it, which ended in a full conviction of the forgery: and those who had combined in it were whipped and pilloried, which, to the reproach of our constitution, is the only punishment that our law has yet provided for such practices. The lords passed some votes, asserting their privileges; and were offended with the judges for detaining some in prison, though there was no reason nor colour for their displeasure. But where the privilege or the dignity of peerage is in question, it is not easy to keep the house within bounds.

The debate went off in a bill that indemnified the ministry for those commitments, but

\* In "Poems on State Affairs," vol. ii., published in 1703, is a satire, by De Foe, entitled, "Reformation of Manners."—It gives severe characters of some of the public officers of those times, and is altogether well worthy perusal.

limited them for the future by several rules ; all which rules were rejected by the commons. They thought those limitations gave a legal power to commit in cases where they were observed ; whereas they thought the safer way was to indemnify the ministry, when it was visible they did not commit any but upon a real danger, and not to set them any rules ; since, as to the committing of suspected persons, where the danger is real and visible, the public safety must be first looked to and supersede all particular laws. When this was over, an attempt was made in both houses, for the abjuration of king James : the king himself was more set on it than he had been formerly. It was rejected by the house of commons : and though some steps were made in it by the lords, yet the opposition was so great that it was let fall.

The affairs at sea occasioned much heat in both houses. The earl of Nottingham laid before the lords, upon an address they had made to the king, all the letters that had passed between himself and Russel, with all the orders he had sent him : and he aggravated Russel's errors and neglects very severely. But the house of commons justified Russel and gave him thanks over and over again ; and remained so fixed in this, that though the lords then communicated the papers the earl of Nottingham had laid before them to the commons, they would not so much as read them, but renewed their first votes that justified Russel's fidelity, courage, and conduct.

The king was now possessed against him : for he dismissed him from his service, and put the command of the fleet into the hands of three persons, Killigrew, Delaval, and Shovel : the two first were thought so inclinable to king James's interests, that it made some insinuate that the king was in the hands of those who intended to betray him to his enemies ; for though no exception lay against Shovel, yet it was said, he was only put with the other two to give some reputation to the commission, and that he was one against two : so that he could neither hinder nor do any thing. The chief blame of this nomination was thrown on the earl of Nottingham ; and of those who belonged to his office many stories were raised and spread about, as if there had been among them, besides a very great remissness in some of the concerns of the government, an actual betraying of all our secrets and counsels. The opinion of this was spread both within and without the kingdom, and most of our confederates were possessed with it. He justified not only himself but all his under secretaries ; both the king and queen continued still to have a good opinion of his fidelity ; but they saw some defects in his judgment, with a most violent party heat, that appeared upon all occasions, and even in the smallest matters. The bills for the supply went on with a heavy progress in the house of commons ; those who could not oppose them yet showed their ill humour in delaying them, and clogging them with unacceptable clauses all they could. And they continued that wasteful method of raising money upon remote funds, by which there lay a heavy discount on tallies ; so that above a fourth part was, in some of them, to be discounted : the parties of whig and tory appeared almost in every debate, and in every question.

The ill humour prevailed most in the house of lords, where a strong opposition was made to every thing that was proposed for the government. They passed many votes, and made many addresses to the king, which were chiefly designed to load the administration and to alienate the king from the Dutch. The commons began with great complaints of the Admiralty : and then they had the conduct in Flanders, particularly in the action at Steenkirk, before them : and they voted some heads of an address relating to those matters : but by a secret management they let the whole thing fall, after they had passed those angry votes. Any thing that the lords could do was of less moment when it was not likely to be seconded by the commons ; yet they showed much ill humour.

This was chiefly managed by the marquis of Halifax and the earl of Mulgrave ; and they drew in the earl of Shrewsbury, who was very ill pleased with the credit that some had with the king, and lived in a particular friendship with the earl of Marlborough, and thought that he was both ungratefully and unjustly persecuted. These lords had all the Jacobites ready to assist them in every thing that could embroil matters ; a great many whigs, who were discontented and jealous of the ministry, joined with them : they knew that all their murmuring would signify little, unless they could stop a money bill : and,

since it was settled in the house of commons as a maxim, that the lords could not make any alterations in money-bills, when the bill for four shillings in the pound land-tax came up, they put their strength to carry a clause, that the peers should tax themselves. And though, in the way in which this clause was drawn up, it could not be defended, yet they did all that was possible to put a stop to the bill ; and with unusual vehemence pressed for a delay, till a committee should be appointed to examine precedents. This the earl of Mulgrave pressed for many hours, with a force of argument and eloquence beyond any thing that I had ever heard in that house. He insisted much upon the dignity of peerage ; and made this, which was now proposed, to be so main a part of that dignity, that he exhausted all the topics of rhetoric, to convince the lords, that, if they yielded to this, they divested themselves of their true greatness ; and nothing would remain but the name and shadow of a peer, which was but a pageant. But after all the pomp and heat of his oratory, the lords considered the safety of the nation more than the shadow of a privilege ; and so they passed the bill.

These lords also set on foot a proposition that had never been offered, but when the nation was ready to break out into civil wars ; and that was, that a committee of lords and commons should be appointed to confer together concerning the state of the nation ; this once begun would have grown in a very short time to have been a council of state ; and they would soon have brought all affairs under their inspection ; but this was so strongly opposed, that it was soon let fall.

When the party that was set against the court saw they could carry nothing in either house of parliament, then they turned their whole strength against the present parliament, to force a dissolution ; and in order to that, they first loaded it with a name of an ill sound ; and, whereas king Charles's long parliament was called the pensioner parliament, they called this *the officers' parliament* ; because many that had commands in the army were of it : and the word that they gave out among the people was, that we were to be governed by a standing army, and a standing parliament. They tried to carry a bill that rendered all members of the house of commons incapable of places of trust or profit ; so that every member that accepted a place should be expelled the house, and be incapable of being chosen again to sit in the current parliament. The truth was, it came to be observed, that some got credit by opposing the government ; and that to silence them, they were preferred : and then they changed their note, and were as ready to flatter as before to find fault. This gave a specious colour to those who charged the court with designs of corrupting members, or, at least, of stopping their mouths by places and pensions. When this bill was set on, it went through the house of commons with little or no difficulty : those who were in places had not strength and credit to make great opposition to it, they being the persons concerned, and looked on as parties : and those who had no places, had not the courage to oppose it ; for in them it would have looked as an art to recommend themselves to one. So the bill passed in the house of commons ; but it was rejected by the lords, since it seemed to establish an opposition between the crown and the people, as if those who were employed by the one could not be trusted by the other.

When this failed, another attempt was made in the house of lords ; in a bill that was offered, enacting, That a session of parliament should be held every year, and a new parliament be summoned every third year, and that the present parliament should be dissolved within a limited time. The statutes for annual parliaments in king Edward the First, and king Edward the Third's time, are well known ; but it is a question whether the supposition "if need be" falls upon the whole act, or only upon those words, "or oftener :" it is certain these acts were never observed, and the non-observance of them was never complained of as a grievance. Nor did the famous act in king Charles the First's time, carry the necessity of holding a session further than to once in three years. Anciently, considering the haste and hurry in which parliaments sat, an annual parliament might be no great inconvenience to the nation ; but by reason of the slow methods of sessions now, an annual parliament in times of peace would become a very insupportable grievance. A parliament of a long continuance seemed to be very dangerous, either to the crown, or to the nation ; if the conjuncture, and their proceedings, gave them much credit, they might grow very uneasy to

the crown, as happened in king Charles the First's time ; or in another situation of affairs, they might be so practised upon by the court, that they might give all the money, and all the liberties of England up, when they were to have a large share of the money, and were to be made the instruments of tyranny, as it was likely to have been in king Charles the Second's time. It was likewise hoped, that frequent parliaments would put an end to the great expense candidates put themselves to in elections ; and that it would oblige the members to behave themselves so well, both with relation to the public, and in their private deportment, as to recommend them to their electors at three years' end ; whereas when a parliament was to sit many years, members covered with privileges were apt to take great liberties, forgot that they represented others, and took care only of themselves. So it was thought, that England would have a truer representative, when it was chosen anew every third year, than when it run on to the end of a reign. All that was objected against this was, that frequent elections would make the freeholders proud and insolent, when they knew that applications must be made to them at the end of three years ; this would establish a faction in every body of men that had a right to an election ; and whereas now an election put men to a great charge all at once, then the charge must be perpetual all the three years, in laying in for a new election, when it was known how soon it must come round. And as for the dissolution of the present parliament, some were for leaving it to the general triennial clause, that it might still sit three years ; they thought that, during so critical a war, as that in which we were now engaged, it was not advisable to venture on a new election, since we had so many among us who were so ill affected to the present establishment : yet it was said, this parliament had already sat three years ; and, therefore, it was not consistent with the general reason of the act to let it continue longer. So the bill passed in the house of lords ; and though a bill from them, dissolving a parliament, struck only at the house of commons, the lords being still the same men ; so that, upon that single account, many thought they would have rejected it, yet they also passed it, and fixed their own dissolution to the twenty-fifth of March in the next year ; so that they reserved another session to themselves. The king let the bill lie for some time on the table : so that men's eyes and expectations were much fixed on the issue of it. But, in conclusion, he refused to pass it ; so the session ended in ill humour. The rejecting a bill, though an unquestionable right of the crown, has been so seldom practised, that the two houses are apt to think it a hardship when there is a bill denied \*.

But to soften the distaste this might otherwise give, the king made considerable alterations in his ministry. All people were now grown weary of the great seal's being in commission ; it made the proceedings in chancery to be both more dilatory, and more expensive ; and there were such exceptions made to the decrees of the commissioners, that appeals were brought against most of them, and frequently they were reversed. Sir John Somers had now got great reputation, both in his post of attorney-general, and in the house of commons ; so the king gave him the great seal. He was very learned in his own profession, with a great deal more learning in other professions, in divinity, philosophy, and history. He had a great capacity for business, with an extraordinary temper ; for he was fair and gentle, perhaps to a fault, considering his post ; so that he had all the patience and softness, as well as the justice and equity, becoming a great magistrate. He had always agreed in his notions with the whigs, and had studied to bring them to better thoughts of the king, and to a greater confidence in him †. Trenchard was made secretary of state ; he had been engaged

\* King William was persuaded to consent to the triennial bill, two years subsequently. His rejection of the bill, as mentioned in the text, is the last time the prerogative of the crown has been so employed ; and, although the king has an undoubted right to withhold his consent to any bill passed by the two houses, yet he would be now a very rash monarch who would venture to do it against the united opinions of the collected wisdom of the nation. In earlier periods of our history, the prerogative was profusely exercised. In sir Symond Dewe's "Journal," p. 596, it is stated, that queen Elizabeth, at the close of a

session, gave her consent to forty-three bills, and rejected forty-eight.

† John, lord Somers, baron Evesham, born in 1650, at Worcester, was one of the brightest ornaments of his age. His father sent him to Trinity College, Oxford ; and here he formed an intimacy with the young duke of Shrewsbury, that never afterwards was weakened. He first obtained public notice by the talents displayed by him as one of the counsel employed to defend, in 1688, the seven bishops, or *seven golden candlesticks*, as they were emphatically denominated. Always acting consistently

far with the duke of Monmouth, as was told formerly. He got out of England, and lived some years beyond sea, and had a right understanding of affairs abroad : he was a calm and sedate man, and was much more moderate than could have been expected, since he was a leading man in a party. He had too great a regard to the stars, and too little to religion \*. The bringing these men into those posts was ascribed chiefly to the great credit the earl of Sunderland had gained with the king ; he had now got into his confidence, and declared openly for the whigs. These advancements had a great effect on the whole party, and brought them to a much better opinion of the king. A young man, Mr. Montague, a branch of the earl of Manchester's family, began to make a great figure in the house of commons. He was a commissioner of the treasury, and soon after made chancellor of the exchequer. He had great vivacity and clearness, both of thought and expression ; his spirit was at first turned to wit and poetry, which he continued still to encourage in others, when he applied himself to more important business. He came to have great notions with relation to all the concerns of the treasury, and of the public funds, and brought those matters into new and better methods : he shewed the error of giving money upon remote funds, at a vast discount, and with great premiums to raise loans upon them ; which occasioned a great outcry at the sums that were given, at the same time that they were much shrunk before they produced the money that was expected from them. So he pressed the king to insist on this as a maxim, to have all the money for the service of a year to be raised within that year †.

with the whigs, he obtained the favour of William, who made him solicitor-general in 1689, and attorney-general in 1692. In the following year we have seen that he was made lord keeper, and four years subsequently was ennobled, and appointed lord high chancellor. Never had so much dignity, or so much mildness, been displayed ; never such a complication of endowments centred in one person. He was a prodigy. Lord Orford said he was “a chapel in a place where every other room is profaned.” In the city he only had to ask for the king, and the money was had. The laws of England were known to him, and he was not ignorant of those of Greece, Rome, or modern kingdoms. Foreign ambassadors, noblemen, and strangers saw, in an individual of private birth, unused to courts, the manners of the most finished courtier : professional men of all kinds found in him, for he admitted them to his table, an adept in that science they had spent a life in studying. A lucid eloquence was natural to him. His arguments were called “geometrical stairs,” supporting each other. He was the truest patriot and sincerest of all William's ministers ; yet, as will be seen in future pages, even he could not escape the machinations of those who desired place and power more than they respected worth. In 1710, he finally retired from public affairs, and died in 1716 — warning against presumption to the most talented — an idiot ! His great foible was a devotion to women, and this hastened his death. Unmarried, his titles died with him. It is greatly to be lamented that nearly all his MSS were destroyed in 1752 by a fire in Lincoln's-Inn. The few that escaped have been published by lord Hardwicke. A good life of this great man is still a desideratum. Whoever undertakes it, will find valuable materials in those papers, and in the “Shrewsbury Correspondence.” Maddock's Life of Somers, and the sketch of his early years, by Cooksey, are very imperfect. There is a memoir of him in the *Biographia Britannica*.

\* Sir John Trenchard was of the legal profession. His residence was Wolverton, in Dorsetshire. He narrowly escaped being executed, for one of the witnesses swore that Trenchard undertook to raise troops at Taunton, although, as he was the first mover of the exclusion bill, it was considered James the Second would have him destroyed. He joined Monmouth's expedition, but escaped when it was defeated. At the revolution he returned to England, and represented Dorchester in Parliament. He was made

a serjeant in 1689, and afterwards secretary of state, as mentioned above. He enjoyed his distinctions a very short time, dying in 1694. — Noble's Continuation of Grainger.

† Charles Montague was the youngest son of a youngest son of an earl of Manchester, and born at Horton, in Northamptonshire, during 1661. The remainder of his career may be told in the words of Dr. Johnson. He was educated first in the country, and then removed to Westminster ; where, in 1677, he was chosen a king's scholar, and recommended himself to Busby by his felicity in extemporary epigrams. He contracted a very intimate friendship with Mr. Stepney ; and, in 1682, when Stepney was elected to Cambridge, the election of Montague being not to proceed until the year following, he was afraid lest, by being placed at Oxford, he might be separated from his companion, and therefore solicited to be removed to Cambridge. It seemed, indeed, time to wish for a removal, for he was already a schoolboy of twenty-one. At Trinity College, of which his uncle was the master, he commenced his acquaintance with the great Newton, which continued through his life, and was at last attested by a legacy. In 1685, his verses on the death of king Charles made such an impression upon the earl of Dorset, that he was invited to town, and introduced by that universal patron of the wits. In 1687 he joined with Prior in “the City Mouse and Country Mouse,” a burlesque of Dryden's “Hind and Panther.” He signed the invitation to the prince of Orange, and sat in the convention. About the same time he married the countess dowager of Manchester, and intended to have taken orders, but changed his purpose, and purchased for 1,500*l.* the place of one of the clerks of council. After he had written his epistle on the victory of the Boyne, his patron, Dorset, introduced him to the king, saying, “Sire, I have a *mouse* to wait on your majesty.” To which the king is said to have replied, “You do well to put me in the way of making a *man* of him.” In 1691, being a member of the house of commons, he argued warmly in favour of a law to grant the assistance of counsel in trials for high treason ; and in the midst of his speech, falling into some confusion, was for a while silent ; but recovering himself, observed, “how reasonable it was to allow counsel to men called as criminals before a court of justice, when it appeared how much the presence of this assembly would disconcert one of their own body.” He now rose fast into honours and employment, being made one of the

But as the employing these men had a very good effect on the king's affairs, so a party came to be now formed that studied to cross and defeat every thing; this was led by Seymour and Musgrave. The last was a gentleman of a noble family in Cumberland, whose life had been regular, and his deportment grave. He had lost a place in king James's time; for though he was always a high tory, yet he would not comply with his designs. He had indeed contributed much to increase his revenue, and to offer him more than he asked; yet he would not go into the taking off the tests. Upon the revolution, the place out of which he had been turned, was given to a man that had a good share of merit in that great event. This alienated him from the king; and he, being a man of good judgment, and of great experience, came to be considered as the head of the party; in which he found his account so well, that no offers that were made him could ever bring him over to the king's interests. Upon many critical occasions he gave up some important points, for which the king found it necessary to pay him very liberally.

But the party of the tories was too inconsiderable to have raised a great opposition, if a body of whigs had not joined with them; some of these had such republican notions, that they were much set against the prerogative: and they thought the king was become too stiff in maintaining it; others were offended because they were not considered nor preferred, as they thought they deserved. The chief of these were, Mr. Paul Foley and Mr. Harley\*. The first of these was a younger son of one, who from mean beginnings had, by iron works, raised one of the greatest estates that had been in England in our time. He was a learned, though not a practising lawyer; and was a man of virtue and good principles, but morose and wilful; and he had the affectation of passing for a great patriot by his constant finding fault with the government, and venting an ill humour, and a bad opinion of the court. Harley was a man of a noble family, and very eminently learned; much turned to politics, and of a restless ambition. He was a man of great industry and application, and knew forms, and the records of parliament so well, that he was capable both of lengthening out and of perplexing debates. Nothing could answer his aspiring temper; so he and Foley joined with the tories to create jealousies, and raise an opposition. They soon grew to be able to delay matters long, and set on foot some very uneasy things that were popular; such as the bill against parliament-men being in places, and that for dissolving the parliament, and for having a new one every third year.

That which gave them much strength was, the king's cold and reserved way; he took no pains to oblige those that came to him, nor was he easy of access; he lived out of town at Kensington, and his chief confidants were Dutch. He took no notice of the clergy, and seemed to have little concern in the matters of the church, or of religion; and at this time some atheists and deists, as well as Socinians, were publishing books against religion in general, and more particularly against the mysteries of our faith. These expressed great zeal for the government, which gave a handle to those who were waiting for all advantages, and were careful of increasing and improving them, to spread it all over the nation, that the king, and those about him, had no regard to religion, nor to the church of England.

But now I go on to the transactions of this summer. The king had, in his speech to the parliament, told them he intended to land a considerable army in France this year: so, after the session, orders were given for hiring a fleet for transports, with so great a train of artillery, that it would have served an army of forty thousand men. This was very acceptable to the whole nation, who loved an active war, and were very uneasy to see so much money paid, and so little done with it; but all this went off without any effect. The

commissioners of the treasury, a privy councillor, and chancellor of the exchequer, as mentioned in the text. He merited the gratitude of his country by effecting a re-coining of the silver currency in two years, an undertaking that was deemed impossible to complete. In 1696, he projected the *general fund*, and raised the credit of the exchequer; examined the grants of the Irish crown lands, and was voted by the house of commons to have deserved his majesty's favour. In 1698, he was advanced to be first commissioner of the treasury, and appointed one of the regency in the king's absence; the year after, he

was raised to the peerage. He was twice attacked by the house of commons, so uncertain is popular favour, but was as often protected by the counter-votes of the peers. He again came into office upon the accession of George the First, but died soon after, in 1715, to the confusion of the chief practitioners of that time, Doctors Shadwell, Scigerthal, Blackmore, and Mead, who declared his disease to be a pleurisy, when it proved to be an inflammation of the lungs.—Johnson's Lives of the Poets; Noble's Contin. of Grainger.

\* Afterwards earl of Oxford.

French had attempted this winter the siege of Rhinfeldt, a place of no great consequence ; but it lay upon the Rhine, not far from Coblenz ; and by it Franconia would have been open to them. They could not cut off the communication by the Rhine ; so that fresh supplies of men and provisions were every day sent to them by the care of the landgrave of Hesse, who managed the matter with such success, that after a fortnight's stay before it, the French were forced to raise the siege ; which was a repulse so seldom given them, that upon it some said, they were then sensible that Louvois was dead. The French had also made another attempt upon Huy, of a shorter continuance, but with the like success. The campaign was opened with great pomp in Flanders ; for the king of France came thither in person, accompanied by the ladies of the court, which appeared the more ridiculous, since there was no queen at the head of them, unless madame de Maintenon was to be taken for one, to whom respects were indeed paid with more submission than is commonly done to queens ; so that what might be wanting in the outward ceremony, was more than balanced by the real authority that she had. It was given out, that the king of France, after he had amused the king for some days, intended to have turned either to Brussels on the one hand, or to Liege on the other. In the mean while the French were working on the Dutch, by their secret practices, to make them hearken to a separate peace ; and the ill humour that had appeared in the parliament of England against them was an argument much made use of, to convince them how little ground they had to trust to their alliance with England ; so that, as French practices had raised this ill humour among us, they made now this use of it to break our mutual confidence, and by consequence our alliance with the States. The king made great haste, and brought his army much sooner together than the French expected : he encamped at Park, near Louvain : by which he broke all the French measures ; for he lay equally well posted to relieve Brussels or Liege. It was grown the more necessary to take care of Liege, because though the bishop was true to the allies, yet there was a faction formed among the capitulars, to offer themselves to the French ; but the garrison adhered to the bishop ; and now, when so great an army lay near them, they broke the measures which that faction had taken. The French king, seeing that the practices of treachery, on which he chiefly relied, succeeded so ill, resolved not to venture himself in any dangerous enterprise ; so he and the ladies went back to Versailles.

The dauphin, with a great part of the army, was sent to make head against the Germans, who had brought an army together, commanded by the elector of Saxony, the landgrave of Hesse, and the prince of Baden ; the Germans moved slowly, and were retarded by some disputes about the command ; so that the French came on to Heidelberg, before they were ready to cover it. The town could make no long resistance, but it was too soon abandoned by a timorous governor. The French were not able to hinder the conjunction of the Germans, though they endeavoured it ; they advanced towards them. And though the Dauphin was much superior in numbers, and studied to force them to action, yet they kept close ; and he did not think fit to attack them in their camp. The French raised great contributions in the Wirtemburg ; but no action happened on the Rhine all this campaign. The French had better success, and less opposition, in Catalonia : they took Rosas, and advanced to Barcelona, expecting their fleet, which was to have bombarded it from the sea, while their army attacked it by land. This put all Spain under a great consternation ; the design of this invasion was, to force them to treat of a separate peace ; while they felt themselves so vigorously attacked, and saw that they were in no condition to resist.

Affairs in Piedmont gave them a seasonable relief : the duke of Savoy's motions were so slow, that it seemed both sides were resolved to lie upon the defensive. The French were very weak there, and they expected to be as weakly opposed ; but in the end of July, the duke began to move ; and he obliged Catinat to retire with his small army, having made him quit some of his posts. And then he formed the siege of St. Bridget, a fort that lay above Pignerol, and, as was believed, might command it. After twelve days' siege, the French abandoned it, and he was master of it ; but he was not furnished for undertaking the siege of Pignerol, and so the campaign went off in marches and countermarches ; but in the end of it, Catinat, having increased his army by some detachments, came up to the duke of Savoy. They engaged at Orbasson, where the honour of the action, but with that

the greatest loss, fell to the French ; for, though they carried it by their numbers, their bodies being less spent and fuller, yet the resistance that was made was such, that the duke of Savoy gained more in his reputation, than he suffered by the loss of the day.

The two armies lay long in Flanders, watching one another's motions, without coming to action. In July, Luxembourg went to besiege Huy, and carried it in two or three days. The king moved that way, on design either to raise the siege, or to force a battle. Those in Huy did not give him time to come to their relief ; and Luxembourg made a feint towards Liege, which obliged the king to send some battalions to reinforce the garrison of that place. He had also sent another great detachment, commanded by the duke of Wirtemburg, to force the French lines, and to put their country under contribution ; which he executed with great success, and raised above four millions. Luxembourg thought this was an advantage not to be lost : so that, as soon as he had received orders from the king of France to attack the king in his camp, he came up to him near Landen, upon the river Gittie. He was about double the king's number, chiefly in horse. The king might have secured himself from all attacks, by passing the river ; and his conduct in not doing it was much censured, considering his strength, and the enemy's. He chose rather to stay for them, but sent away the baggage and heavy cannon to Mechlin, and spent the whole night in planting batteries, and casting up retrenchments. On the twenty-ninth of July the French began their attack, early in the morning, and came on with great resolution, though the king's cannon did great execution ; they were beaten off with the loss of many officers in several attacks ; yet they came still on with fresh bodies, till at last, after an action of seven or eight hours' continuance, they broke through, in a place where there was such a body of German and Spanish horse, that the army on no side was thought less in danger. These troops gave way ; and so the French carried the honour of the day, and were masters both of the king's camp and cannon : but the king passed the river, and cut the bridges, and lay secure out of reach. He had supported the whole action with so much courage, and so true a judgment, that it was thought he got more honour that day than even when he triumphed at the Boyne. He charged himself in several places ; many were shot round about him with the enemy's cannon : one musket-shot carried away part of his scarf, and another went through his hat, without doing him any harm. The French lost so many men, and suffered so much in the several onsets they had made, that they were not able to pursue a victory, which cost them so dear. We lost in all about seven thousand ; and among these there was scarce an officer of note ; only the count de Solms had his leg shot off by a cannon ball, of which he died in a few hours. By all the accounts that came from France, it appeared that the French had lost double the number, with a vastly greater proportion of officers. The king's behaviour, during the battle, and in the retreat, was much magnified by the enemy, as well as by his own side. The king of France was reported to have said upon it, that Luxembourg's behaviour was like the prince of Condé's, but the king's like M. Turenne's. His army was, in a few days, as strong as ever, by recalling the duke of Wirtemburg, and the battalions he had sent to Liege, and some other bodies that he drew out of garrisons. And the rest of the campaign passed over, without any other action ; only at the end of it, after the king had left the army, Charleroi was besieged by the French : the country about it had been so eat up, that it was not possible to sustain an army that might have been brought to relieve it : the garrison made a brave resistance, and held out a month, but it was taken at last.

Thus the French triumphed every where ; but their successes were more than balanced by two bad harvests, that came successively one after another ; they had also suffered much in their vintage ; so that they had neither bread nor wine. Great diligence was used to bring in corn from all parts ; and strict orders were given by that court, for regulating the price of it, and for furnishing their markets ; there was also a liberal distribution ordered by that king for the relief of the poor. But misery will be misery still, after all possible care to alleviate it. Great multitudes perished for want, and the whole kingdom fell into an extreme poverty ; so that all the pomp of their victories could not make them easy at home. They tried all possible methods for bringing about a general peace ; or if that failed, for a separate peace with some of the confederates ; but there was no disposition in

any of them to hearken to it ; nor could they engage the northern crowns to offer their mediation. Some steps were indeed made, for they offered to acknowledge the present government of England ; but in all other points their demands were still so high, that there was no prospect of a just peace till their affairs should have brought them to an humbler posture.

But while the campaign, in all its scenes, was thus unequal and various, the French, though much weaker at sea, were the most successful there ; and though we had the superior strength, we were very unprosperous ; and by our ill conduct we lost much, both in our honour and interest, on that element. The great difficulty that the French were under in their marine was, by reason of their two great ports, Brest and Toulon ; and from the bringing their fleets together, and sending them back again. The danger they ran in that, and the delays that it put them under, were the chief occasions of their losses last year ; but these were, in a great measure, made up to them now. We were sending a very rich fleet of merchant ships to the Mediterranean, which was valued at many millions ; some of these had lain ready a year and a half, waiting for a convoy, but were still put off by new delays ; nor could they obtain one after Russel's victory, though we were then masters at sea. They were promised a great one in winter. The number of the merchant ships did still increase ; so that the convoy, which was at first designed, was not thought equal to the riches of the fleet, and to the danger they might run by ships that might be sent from Toulon to intercept them. The court of France was watching this carefully ; a spy among the jacobites gave advice, that certain persons sent from Scotland to France, to shew with how small a force they might make themselves masters of that kingdom, had hopes given them for some time : upon which several military men went to Lancashire and Northumberland, to see what could be expected from thence, if commotions should happen in Scotland. But in February the French said they could not do what was expected ; and the Scotch agents were told that they were obliged to look after the Smyrna fleet, which they reckoned might be of more consequence than even the carrying Scotland could be. The fleet was ready in February, but new excuses were again made ; for it was said, the convoy must be increased to twenty men of war ; Rook was to command it : a new delay was likewise put in, on the pretence of staying for advice from Toulon, whether the squadron that was laid up there was to lie in the Mediterranean this year, or to come about to Brest. The merchants were very uneasy under those delays, since the charge was likely to eat up the profit of the voyage ; but no dispatch could be had ; and very probable reasons were offered to justify every new retardment. The French fleet had gone early out of Toulon, on design to have destroyed the Spanish fleet, which lay in the bay of Puzzolo ; but they lay so safe there, that the French saw they could not succeed in any attempt upon them ; afterwards they stood off to the coast of Catalonia, to assist their army, which was making some conquests there. Yet these were only feints to amuse and to cover their true design. The fleet at Brest sailed away from thence so suddenly, that they were neither completely manned nor victualled ; and they came to Lagos Bay in Algarve. Tenders were sent after them, with the necessary complement of men and provisions : this sudden and unprovided motion of the French fleet looked as if some secret advice had been sent from England, acquainting them with our designs. But at the secretary's office, not only there was no intelligence concerning their fleet, but when a ship came in that brought the news of their having sailed from Brest, they were not believed. Our main fleet sailed out into the sea for some leagues with Rook, and the merchant ships ; and when they thought they were out of danger, they came back. Rook was unhappy in that, which, upon any other occasion, would have been a great happiness : he had a fair and a strong gale of wind, so that no advice sent after him could overtake him ; nor did he meet with any ships at sea that could give him notice of the danger that lay before him. He doubled the Cape of St. Vincent, and had almost fallen in with the French fleet, before he was aware of it. He dreamed of no danger but from the Toulon squadron, till he took a fire-ship ; the captain whereof endeavoured to deceive him by a false story, as if there had been only fifteen men of war lying at Lagos, that intended to join D'Estrees. The merchants were for going on, and believed the information ; they were confirmed in this by he disorder the French seemed to be in ; for they were cutting their cables,

and drawing near the shore. The truth was, when they saw Rook's fleet, they apprehended by their numbers that the whole fleet of England was coming towards them; and indeed had they come so far with them, here was an occasion offered, which perhaps may not be found again in an age, of destroying their whole strength at sea. But as the French soon perceived their error, and were forming themselves into a line, Rook saw his error likewise, and stood out to sea, while the merchants fled, as their fears drove them; a great many of them sticking still close to him; others sailed to Cadiz, and some got to Gibraltar; and, instead of pursuing their voyage, put in there; some ships were burnt or sunk, and a very small number was taken by the French. They did not pursue Rook, but let him sail away to the Madeiras; and from thence he came, first to Kinsale, and then into England. The French tried what they could do upon Cadiz, but found that it was not practicable. They came next to Gibraltar, where the merchants sunk their ships, to prevent their falling into their hands; from thence they sailed along the coast of Spain, and burnt some English and Dutch ships that were lying at Malaga, Alicant, and in some other places. They hoped to have destroyed the Spanish fleet; but they put in at Port Mahon, where they were safe. At length, after a very glorious campaign, the French came back to Toulon. It is certain, if Tourville had made use of all his advantages, and had executed the design, as well as it was projected, he might have done us much mischief: few of our men-of-war, or merchantmen, could have got out of his hands. The loss fell heaviest on the Dutch; the voyage was quite lost, and the disgrace of it was visible to the whole world, and very sensible to the trading part of the nation.

The appearances were such, that it was generally surmised our counsels were betrayed. The secretary, that attended on the admirals, was much suspected, and charged with many things; but the suspicions rose high, even as to the secretary of state's office. It was said, that our fleet was kept in port till the French were laid in their way, and was then ordered to sail, that it might fall into their hands. Many particulars were laid together, which had such colours, that it was not to be wondered at, if they created jealousy, especially in minds sufficiently prepared for it. Upon enquiry, it appeared, that several of those, who, for the last two years, were put in the subaltern employments, through the kingdom, did upon many occasions shew a disaffection to the government, and talked and acted like enemies. Our want of intelligence of the motions of the French, while they seemed to know every thing that we either did, or designed to do, cast a heavy reproach upon our ministers, who were now broken so in pieces, that they acted without union or concert: every one studed to justify himself, and to throw the blame on others; a good share of this was cast on the earl of Nottingham: the marquis of Caermarthen was much suspected; the earl of Rochester began now to have great credit with the queen, and seemed to be so violently set against the whigs, that they looked for dreadful things from him, if he came again to govern; for, being naturally warm, and apt to heat himself in company, he broke out into sallies, which were carried about, and began to create jealousies, even of the queen herself.

I was in some sort answerable for this; for, when the queen came into England, she was so possessed against him, that he tried all his friends and interest in the court, to be admitted to clear himself, and to recover her favour, but all in vain; for they found her so alienated from him, that no person would undertake it. Upon that he addressed himself to me: I thought that, if he came into the service of the government, his relation to the queen would make him firm and zealous for it: and I served him so effectually, that the queen laid aside all her resentments, and admitted him, by degrees, into a high measure of favour and confidence\*. I quickly saw my error; and he took pains to convince me effectually of it; for

\* Some of the harshest treatment Dr. Burnet met with in the two former reigns, had passed through the hands of the earl of Rochester; no two men ever differed more widely in their principles, both in church and state; yet the first good offices done that earl, with the king and queen (after all other applications for introduction had failed), their entire reconciliation to him, and the first advantages be reaped in consequence of that reconciliation, were owing to our author. And when the earl of Clas-

rendon was afterwards unhappily engaged in the conspiracy against the government, in 1690, and some hotter whigs were for the severest methods, the bishop became a hearty and successful advocate in his favour. These matters are but cursorily mentioned in the history, but will more fully appear from the four following original letters; the first, written by the countess of Ranelagh; the other three by the earl of Rochester himself:—

he was no sooner possessed of her favour, than he went into an interest, very different from what I believed he would have pursued. He talked against all favour to dissenters, and for

“ My lord,

“ Your lordship knows that by my lord Rochester's desire to do him favours with their majesties (out of the sense he had, that he ought to be more grateful for them, because he had not at all deserved them from your lordship), he had informed me, that you had done him such favours; and when, pursuant to his desire, I began to give you humble thanks for him (who is a person in whom I can be very sensibly obliged) I told your lordship I was pleased in paying this duty, as much upon your account, as upon his lordship's, as having attempted to conquer him by weapons, fit to be used by one of your profession and character; and I hoped he might be advantaged, as well by being gained by you, as by reaping good fruits of your mediation with their majesties. And now I present your lordship, in the enclosed, with what appears to me an evidence, that my hopes of his making ingenuous returns, for your generous advances towards a friendship with him, were not groundless; since he would sure never have pitched upon you, to manage an application of his about an interest wherein the visible subsistence of his family is so deeply concerned, if he did not firmly believe the reality of your intentions towards him; though he have no merits of his towards you, or any thing else, but your Christian beginnings towards him, to build that faith upon. Nor can he, in my poor opinion, give you a clearer proof of his being already overcome by you, than in choosing you to be the person to whom he would be in such an interest be obliged; since he thereby puts himself upon the peril of being faithfully yours, or a very unthankful man; which I do so much assure myself he will not be, that I humbly beg your lordship to put this obligation upon him, to perfect what you have already begun to do for him, of a like nature, and to the same royal person: who would not, I think, act unbecoming herself, nor the eminent station God has placed her in, in assisting five innocent children, who have the honour to be related to her royal mother, who did still, with great tenderness, consider her own family, when she was most raised above it; especially when, in assisting them, her majesty will need only to concern herself, to preserve a property made theirs by the law of England, which as queen of this kingdom she is obliged to maintain.

“ I send your lordship my lord Rochester's letter to me, that you may see he has thoughts that justify what I have said here for him, and has expressed them much better than I can do: so that as an argument to gain your pardon, for this confused scribble of mine, I present you with his good writing. I am,

“ Your lordship's humble and affectionate servant,  
“ July 13th, 1689.

“ K. RANELAGH.”

“ My Lord,

“ The good offices, your lordship has told me, you have endeavoured to do me with the queen, of your own accord and generosity, incline me to be desirous to be obliged to your lordship, for the favour of presenting the enclosed petition to her majesty. Your lordship will see, by the reading it, the occasion and the subject of it; and I am sure I need not suggest any thing to your own kind thoughts to add at the delivery of it, save only this, which I thought not proper to touch in the petition, that I have certainly as good a title in law to it as any man has to any thing he possesses; as likewise that the pension is appropriated, to be paid out of a part of the revenue, which never was designed by any act of parliament, for any public use of the government; which I think has some-

thing of weight and reason to distinguish it from those pensions that are placed on the more public branches of the revenue.

“ I know not whether the queen can do me any good in this affair, but I will believe her majesty cannot but wish she could; however, I think I should have been very wanting to my children if I had not laid this case most humbly before her majesty; lest at one time or other she herself might say, I had been too negligent in not making applications to her; which having now done, I leave the rest, with all possible submission, to her own judgment, and to the reflections, that some good-natured moments may incline her to make towards my family. I should say a great deal to your lordship, for my own confidence, in addressing all this to your lordship, some passages of my life having been such as may very properly give it that name: but, I think, whatever you would be content to hear on that subject will be better expressed by the person, who does me the honour to deliver this to your lordship, from

“ My lord,

“ Your lordship's most obedient servant,  
“ July 13, 1689.

“ ROCHESTER.”

“ My lord,

“ Upon what account soever it is, that your lordship is pleased to let me hear from you, I take it to be something of good fortune, whatsoever ill cause there may be in it too. Therefore I humbly thank your lordship for the honour of yours of the 18th from Salisbury: which was sent me to this pretty place, where I love to be, as much as you do at your palace; and though I cannot do so much good to others as your lordship does there to all that are near you, yet I do more to myself than I can do any where else. Quid sentire putas, quid credis, amice, precari? Sit mihi quod nunc est, etiam minus, ut mihi vivam quod superest avi. Forgive this transgressional rapture, and receive my thanks, which I pay your lordship again, for your kind letter. For indeed I do take it very kindly, that you were so much concerned, as to give me a kind hint of that unseasonable discourse you came to be acquainted with when you were last in London; I will make the best use of it I can, to prevent the like for the future, if I have any credit. And in the mean time I must make use of this opportunity to calm and soften your resentments, towards this friend of mine, as you call him in the beginning of your letter. I will allow you as a servant to the king and queen, and a subject to their crown, to have as great a detestation of the contrivance, as you can wish; and upon my word, I can accompany you in it. But when I consider you, as once you were, a concerned friend of this lord, to have a respect for his family, and particularly for my father, who lost not only all the honours and preferments of this world, but even the comforts of it too, for the integrity and uprightness of his heart: you must forgive me, if I conjure you, by all that's sacred in this generation in which we live together, by the character that you bear, and by the religion you profess, that you do not (as much as in you lies) suffer this next heir of my good father's name and honour, to go down with sorrow to the grave. I would not flatter myself that your lordship should be moved with any fondness of mine, to endeavour to bring to pass, what is not fit for a wise and a good man to propose; that would be to make a very ill use of your friendship to me, and I would rather be corrected myself in my own desires, than expose your lordship on such an account. But I hope that they, who are the supreme directors of this matter

setting up the notions of persecution and violence, which he had so much promoted in king Charles's time, and professed himself an enemy to the present bishops, and to the methods they were taking, of preaching and visiting their dioceses, of obliging the clergy to attend more carefully to their functions, and of endeavouring to gain the dissenters by gentle and calm methods.

The king had left the matters of the church wholly in the queen's hands. He found he could not resist importunities which were not only vexatious to him, but had drawn preferments from him, which he came soon to see were ill bestowed; so he devolved that care upon the queen, which she managed with strict and religious prudence. She declared openly against the preferring of those who put in for themselves, and took care to inform herself particularly of the merits of such of the clergy as were not so much as known at court, nor using any methods to get themselves recommended; so that we had reason to hope, that, if this course should be long continued, it would produce a great change in the church, and in the temper of the clergy. She consulted chiefly with the archbishop of Canterbury, whom she favoured and supported in a most particular manner. She saw what need there was of it; for a party was formed against him, who set themselves to censure every thing he did. It was a melancholy thing to consider that, though we never saw an archbishop before him apply himself so entirely, without partiality or bias, to all the concerns of the church and religion, as he did; and that the queen's heart was set on promoting them, yet such an evil spirit should seem to be let loose upon the clergy. They complained of every thing that was done, if it was not in their own way; and the archbishop bore the blame of all. He did not enter into any close correspondence, or the concerting measures with the ministry, but lived much abstracted from them; so they studied to depress him all they could. This made a great impression upon him. He grew very uneasy in his great post: we were all soon convinced, that there was a sort of clergymen among us that would never be satisfied, as long as the toleration was continued; and they seemed resolved to give it out, that

under God, may in their great wisdom and goodness judge, that it may prove as much to their honour and safety too, to pass over this particular, as if they should pursue the strictest measures of justice in it. Though I am a brother, if I did not, upon the greatest reflection I can make, think I should be of the same opinion, if I were none, I would not press this matter upon you. For I cannot but think, that the queen would do, and would be glad to avow it too, a very great thing for the memory of that gentleman, so long in his grave. It is upon this account I am begging of your lordship to do all that's possible, to preserve every part and branch and member of his family, from the least transient stain of infamy and reproach. And if God was prevailed with by Abraham, to have saved a whole city for the sake of ten righteous men, I hope there may be as charitable an inclination to spare the *débris* of our broken family, for the sake of him who was the raiser of it.

"I ask your lordship's pardon for being thus importunate; for I have great need of your help, and I hope I shall have it from you. Losses of many and good friends I have borne, and submitted with patience to the pleasure of Almighty God; but a calamity of this nature, that I now deprecate, has in it something so frightful, and on some accounts so unnatural, that I beg you for God's sake, from an angry man yourself, grow an advocate for me and for the family on this account. I am ever,

" My lord,

" Your lordship's most faithful humble servant,  
" ROCHESTER.

" New Park, March 21st, 1690-91."

" My lord,

" I was warm, I confess, in the last letter I gave your lordship the trouble of, and I thank you for reproofing the vehemence of my style, in your last of the twenty-eighth; I am grown cooler, and acknowledge my fault; neither

did I commit it with an apprehension that your lordship was inexorable, or that it would be so much as needful to desire your assistance in that matter. But you may remember, you had used a word to me, when you were here, *an attaingander*, that I acknowledge sounded very harsh to me, and when I had reflected a little more upon it, as likewise that your lordship did not use to speak by chance, and consequently that you had good ground for what you said, I own it heated me all over, which made me express my thoughts to you with more transport than was fit, and I will say no more of them, for fear of running into new excesses. What your lordship proposes for my lord Clarendon to desire, is perfectly agreeable to my mind; but I know not, whether it be not a little too early, and that such a petition might be presented with a better grace, if he were once out of the Tower upon bail, than it would be while he is under this close confinement. But as your lordship says, the affair of Mons must for the present put a stop to every man's private thoughts, for that is a matter of such vast importance to the public, that it is but very fit, that all particular considerations should give way to it, and wait the determination of that great point: I cannot but believe the French are masters of it before now, because all the letters that came by the last post, that I could hear of, looked upon it as a thing impracticable to relieve it, but we have had no letters since Saturday. What the French will do next, whether send their men into quarters for two months, or try to follow their blow, is what men are now most anxious about. One of my old friends, with whom of late I have renewed my acquaintance, says upon all these mighty occasions, 'Prudens futuri temporis exitum Caliginosa nocte premitt Deus Ridetque si mortalis ultra Fas trepidat.' But I confess to you I cannot be quite so overcome with philosophy, as not to be concerned beforchand, at what this dark night is to bring forth."

the church was in danger, till a prosecution of dissenters should be again set on foot; nor could they look at a man with patience, or speak of him with temper, who did not agree with them in these things. The bishops fell under the displeasure of the whigs by the methods they took, not only of protecting, but of preferring some of these men, hoping by that means both to have softened them and their friends; but they took their preferments as the rewards that they supposed were due to their merit; and they employed the credit and authority which their preferments brought them, wholly against those to whom they owed them. The whigs were much turned against the king; and were not pleased with those who had left them, when they were so violent in the beginning of this reign; and it was a hard thing, in such a divided time, to resolve to be of no party, since men of that temper are pushed at by many, and protected by no side. Of this we had many instances at that time; and I myself had some very sensible ones; but they are too inconsiderable to be mentioned. In this bad state we were, when a session of parliament came on with great apprehensions, occasioned by our ill success, and by the king's temper, which he could no way constrain, or render more complaisant, but chiefly from the disposition of men's minds, which was practised on with great industry by the enemies of the government, who were driving on jealousies daily.

A parliament had been summoned in Ireland by the lord Sidney; but they met full of discontent, and were disposed to find fault with every thing: and there was too much matter to work upon; for the lord lieutenant was apt to excuse or justify those who had the address to insinuate themselves into his favour; so that they were dismissed before they brought their bills to perfection. The English in Ireland thought the government favoured the Irish too much; some said this was the effect of bribery, whereas others thought it was necessary to keep them safe from the prosecutions of the English, who hated them, and were much sharpened against them. The protecting the Irish was indeed in some sort necessary, to keep them from breaking out, or from running over to the French: but it was very plain that the Irish were Irish still, enemies to the English nation, and to the present government; so that all kindness shewed them beyond what was due in strict justice, was the cherishing an inveterate enemy. There were also great complaints of an ill administration, chiefly in the revenue, in the pay of the army, and in the embezzling of stores. Of these much noise was made in England, which drew addresses from both houses of parliament to the king, which were very invidiously penned; every particular being severely aggravated. So the king called back the lord Sidney, and put the government of Ireland into three lords justices; lord Capel, brother to the earl of Essex, sir Cyril Wyche, and Mr. Duncomb. When they were sent from court, the queen did very earnestly recommend to their care, the reforming of many disorders that were prevailing in that kingdom; for, neither had the late destructive war, out of which they were but beginning to recover themselves, nor their poverty, produced those effects, that might have been well expected.

The state of Ireland leads me to insert here a very particular instance of the queen's pious care in the disposing of bishoprics: lord Sidney was so far engaged in the interest of a great family of Ireland, that he was too easily wrought on to recommend a branch of it to a vacant see. The representation was made with an undue character of the person: so the queen granted it. But when she understood that he lay under a very bad character, she wrote a letter, in her own hand, to lord Sidney, letting him know what she had heard, and ordered him to call for six Irish bishops, whom she named to him, and to require them to certify to her their opinion of that person: they all agreed that he laboured under an ill fame; and, till that was examined into, they did not think it proper to promote him; so that matter was let fall. I do not name the person; for I intend not to leave a blemish on him; but set this down as an example, fit to be imitated by Christian princes.

Another effect of the queen's pious care of the souls of her people was finished this year, after it had been much opposed, and long stopped. Mr. Blair, a very worthy man, came over from Virginia, with a proposition for erecting a college there. In order to which, he had set on foot a voluntary subscription, which arose to a great sum; and he found out some branches of the revenue there that went all into private hands, without being brought into any public account, with which a free-school and college might be well endowed. The English

born there were, as he said, capable of every thing, if they were provided with the means of a good education ; and a foundation of this kind in Virginia, that lay in the middle, between our southern and northern plantations, might be a common nursery to them all ; and put the people born there in a way of further improvement. Those concerned in the management of the plantations had made such advantages of those particulars, out of which the endowment was to be raised, that all possible objections were made to the project, as a design that would take our planters off from their mechanical employments, and make them grow too knowing to be obedient and submissive. The queen was so well pleased with the design, as apprehending the very good effects it might have, that no objection against it could move her : she hoped it might be a means of improving her own people, and of preparing some to propagate the gospel among the natives ; and therefore, as she espoused the matter with a particular zeal, so the king did very readily concur with her in it. The endowment was fixed, and the patent was passed for the college called, from the founders, the William and Mary College.

Affairs in Scotland grew more and more out of joint. Many whom the king had trusted in the ministry there, were thought enemies to him and his government ; and some took so little care to conceal their inclinations, that, when an invasion was looked for, they seemed resolved to join in it. They were taken out of a plot, which was managed by persuading many to take oaths to the government, on design to betray it ; and were now trusted with the most important posts. The presbyterians began to see their error, in driving matters so far, and in provoking the king so much ; and they seemed desirous to recover his favour, and to manage their matters with more temper. The king came likewise to see that he had been a little too sudden in trusting some who did not deserve his confidence. Duke Hamilton had for some years withdrawn from business ; but he was now prevailed with to return to council ; many letters were intercepted between France and Scotland ; in those from Scotland, the easiness of engaging that nation was often repeated, if no time were lost ; it seemed therefore necessary to bring that kingdom into a better state.

A session of parliament was held there, to which duke Hamilton was sent as the king's commissioner ; the supplies that were asked were granted ; and now the whole presbyterian party was again entire in the king's interest ; the matters of the church were brought to more temper than was expected : the episcopal clergy had more moderate terms offered them ; they were only required to make an address to the general assembly, offering to subscribe to a confession of faith, and to acknowledge presbytery to be the only government of that church, with a promise to submit to it ; upon which, within a fortnight after they did that, if no matter of scandal was objected to them, the assembly was either to receive them into the government of the church, or, if they could not be brought to that, the king was to take them into his protection, and maintain them in their churches, without any dependence on the presbytery. This was a strain of moderation that the presbyterians were not easily brought to ; a subscription that owned presbytery to be the only legal government of that church, without owning any divine right in it, was far below their usual pretensions. And this act vested the king with an authority, very like that which they were wont to condemn as Erastianism. Another act was also passed, requiring all in any office in church or state, to take, besides the oath of allegiance, a declaration called the assurance, owning the king and queen to be their rightful and lawful sovereigns, and promising fidelity to them against king James, and all his adherents. The council was also empowered to tender these, as they should see cause for it, and to fine and imprison such as should refuse them. When the session was near an end, Nevil Payne was brought before the parliament, to be examined, upon the many letters that had been intercepted. There was a full evidence against him in many of his own letters ; but he sent word to several of the lords, in particular to duke Hamilton, that as long as his life was his own, he would accuse none ; but he was resolved he would not die ; and he could discover enough to deserve his pardon. This struck such terror into many of them, whose sons or near relations had been concerned with him, that he moving for a delay, on a pretence of some witnesses that were not then at hand, a time was given him beyond the continuance of the session ; so he escaped, and that enquiry was stifled. The session ended calmly ; but the king seemed to have forgotten Scotland so entirely, that

he let three months go over before he took notice of any of their petitions; and, though he had asked, and had supplies for an augmentation of forces, and many had been gained to consent to the tax, by the hope of commissions in the troops that were to be levied; yet the king did not raise any new ones, but raised the supply, and applied it to other uses: this began again to raise an ill humour, that had been almost quite laid down, in the whole course of this session, which was thought a reconciling one. The clergy let the day prefixed, for making their submission to the assembly, slip, and did not take the oaths; so they could claim no benefit by the act that had been carried in their favour, not without some difficulty. And the law, that was intended to save them, did now expose them to ruin; since by it, they, not taking the oaths, had lost their legal rights to their benefices. Yet they were suffered to continue in them, and were put in hope, that the king would protect them, though it was now against law. They were also made to believe, that the king did not desire that they should take the oaths, or make any submission to presbytery: and it is certain, that no public signification of the king's mind was made to them; so they were easily imposed on by surmises and whispers; upon this the distractions grew up afresh. Many concluded there, as well as in England, that the king's heart led him still to court his enemies, even after all the manifest reasons he had to conclude, that the steps they made towards him were only feigned submissions, to gain such a confidence as might put it in their power to deliver him up.

The earl of Middleton went over to France in the beginning of this year; and it was believed he was sent by a great body among us, with a proposition, which, had he had the assurance to have made, and they the wisdom to have accepted, might have much increased our factions and jealousies. It was, that king James should offer to resign his title in favour of his son, and likewise to send him to be bred in England, under the direction of a parliament, till he should be of age; but I could never hear that he ventured on this advice; in another he succeeded better. When king James thought the invasion from Normandy, the former year, was so well laid, that he seemed not to apprehend it could miscarry, he had prepared a declaration, of which some copies came over. He promised nothing in it, and pardoned nobody by it; but he spoke in the style of a conqueror, who thought he was master, and therefore would limit himself by no promises, but such as were conceived in general words, which might be afterwards expounded at pleasure. This was much blamed, even by his own party, who thought that they themselves were not enough secured by so loose a declaration: so the earl of Middleton, upon his going over, procured one of another strain, which, as far as words could go, gave all content; for he promised every thing, and pardoned all persons. His party got this into their hands. I saw a copy of it, and they waited for a fit occasion to publish it to the nation.

We were also at this time alarmed with a negotiation, that the court of France was setting on foot at Madrid; they offered to restore to the crown of Spain all that had been taken from it, since the peace of Munster, on condition that the duke of Anjou should be declared the heir of that crown, in default of issue by the king: the grandes of Spain, who are bred up to a disregard and contempt of all the world besides themselves, were inclinable to entertain this proposition; though they saw that by so doing they must lose the house of Austria, the elector of Bavaria, and many of their other allies. But the king himself, weak as he was, stood firm and intractable; and seemed to be as much set on watching their conduct, as a man of his low genius could possibly be. He resolved to adhere to the alliance, and to carry on the war, though he could do little more than barely resolve on it. The Spaniards thought of nothing but their intrigues at Madrid; and for the management of the war, and all their affairs, they left the care of that to their stars, and to their allies.

The king came over to England in November; he saw the necessity of changing both his measures and his ministers; he expressed his dislike of the whole conduct at sea; and named Russel for the command of the fleet next year; he dismissed the earl of Nottingham, and would immediately have brought the earl of Shrewsbury again into the ministry: but when that lord came to him, he thought the king's inclinations were still the same that they had been for some years, and that the turn which he was now making was not from choice, but force; so that went off, and the earl of Shrewsbury went into the country; yet the king soon after sent for

him, and gave him such assurances, that he was again made secretary of state, to the general satisfaction of the whigs\*. But the person that had the king's confidence to the highest degree, was the earl of Sunderland, who, by his long experience and his knowledge of men and things, had gained an ascendant over him, and had more credit with him than any Englishman ever had: he had brought the king to this change of councils by the prospect he gave him of the ill condition his affairs were in, if he did not entirely both trust and satisfy those, who, in the present conjuncture, were the only party that both could and would support him. It was said, that the true secret of this change of measures was, that the tories signified to the king plainly, that they could carry on the war no longer, and that therefore he must accept of such a peace as could be had: this was the most pernicious thing that could be thought on, and the most contrary to the king's notions and designs; but they being positive, he was forced to change hands, and to turn to the other party; so the whigs were now in favour again, and every thing was done that was likely to put them in good humour. The commission of the lieutenancy for the city of London, on which they had set their hearts, much more perhaps than it deserved, was so altered, that the whigs were the superior number; and all other commissions over England were much changed. They were also brought into many places of trust and profit; so that the king put his affairs chiefly into their hands; yet so, that no tory who had expressed zeal or affection for the government was turned out. Upon this the whigs expressed new zeal and confidence in the king. All the money that was asked for the next year's expense was granted very readily.

Among other funds that were created, one was for constituting a bank, which occasioned great debates: some thought a bank would grow to be a monopoly. All the money of England would come into their hands, and they would in a few years become the masters of the stock and wealth of the nation. Others argued for it; that the credit it would have, must increase trade and the circulation of money, at least in bank notes. It was visible that all the enemies of the government set themselves against it, with such a vehemence of zeal, that this alone convinced all people, that they saw the strength that our affairs would receive from it. I had heard the Dutch often reckon up the great advantages they had from their banks; and they concluded that, as long as England continued jealous of the government, a bank could never be settled among us, nor gain credit enough to support itself: and upon that they judged that the superiority in trade must still lie on their side. This, with all the other remote funds that were created, had another good effect; it engaged all those who were concerned in them, to be, upon the account of their own interest, zealous for maintaining the government; since it was not to be doubted, but that a revolution would have swept all these away. The advantages that the king, and all concerned in tallies, had from the bank, were soon so sensibly felt, that all people saw into the secret reasons that made the enemies of the constitution set themselves with so much earnestness against it †.

The enquiry into the conduct at sea, particularly with relation to the Smyrna fleet, took up much time, and held long: great exceptions were taken to the many delays, by which it seemed a train was laid, that they should not get out of our ports till the French were ready to lie in their way, and intercept them. Our want of intelligence was much complained of: the instructions that the admirals, who commanded the fleet, had received from the cabinet council, were thought ill given, and yet worse executed; their orders seemed weakly drawn, ambiguous, and defective: nor had they shewn any zeal in doing more than strictly to obey

\* It seems that, at their first interview, the earl of Shrewsbury was so dissatisfied with the king, that after an angry altercation, he left London for his seat in Oxfordshire. William, in his cooler moments, saw the importance of obtaining the earl's services, and employed the blandishments of the royal concubine, Elizabeth Villiers, afterwards countess of Orkney, and of the earl's favourite, Mrs. Lundee. Even these failed, and it was not until he saw that the king intended really to confide in the whig party, by appointing them to some of the chief offices, that he was persuaded to accept the secretary's seals.—See the Correspondence in Coxe's Shrewsbury Papers.

† The Bank of England was projected by Mr. W.

Paterson, a merchant. It was with extreme difficulty that he and his friends obtained a charter, which is dated July 27, 1694, and was granted only for twelve years, the corporation to be determinable on a year's notice. The original capital subscribed was 1,290,000*£*, which they lent to the government at eight per cent: interest, and an allowance of 4,000*£*, annually for managing expenses. The difficulties this corporation has had to encounter, the important assistance it has afforded to our various administrations, and the great influence it has over our moneyed interests, are subjects of important and interesting consideration.

such orders: they had very cautiously kept within them, and had been very careful never to exceed them in a tittle; they had used no diligence to get certain information concerning the French fleet, whether it was still in Brest, or had sailed out; but in that important matter, they had trusted general and uncertain reports too easily; nor had they sailed with Rook, till he was past danger. To all this their answer was, that they had observed their orders: they had reason to think the French were still in Brest; that therefore it was not safe to sail too far from the coast of England when they had (as they understood) ground to believe, that they had left behind them a great naval force, which might make an impression on our coast, when they were at too great a distance from it; the getting certain intelligence from Brest, was represented as impracticable. They had many specious things to say in their own defence, and many friends to support them; for it was now the business of one party to accuse, and of another to justify that conduct. In conclusion, there was not ground sufficient to condemn the admirals, as they had followed their instructions; so a vote passed in their favour. The rest of the business of the session was managed both with dexterity and success; all ended well, though a little too late; for the session was not finished before the end of April. Prince Lewis of Baden came this winter to concert measures with the king: he stayed above two months in England, and was treated with very singular respects, and at a great expense.

The tories began in this session to obstruct the king's measures more openly than before; the earls of Rochester and Nottingham did it in the house of lords, with a peculiar edge and violence: they saw how great a reputation the fair administration of justice by the judges, and more particularly that equity, which appeared in the whole proceedings of the court of chancery, gave the government; therefore they took all occasions that gave them any handle to reflect on these. We had many sad declamations, setting forth the misery the nation was under, in so tragical a strain, that those who thought it was quite otherwise with us, and that under all our taxes and losses, there was a visible increase of the wealth of the nation, could not hear all this without some indignation.

The bishops had their share of ill humour vented against them; it was visible to the whole nation that there was another face of strictness, of humility and charity among them, than had been ordinarily observed before: they visited their dioceses more; they confirmed and preached oftener than any who had in our memory gone before them; they took more care in examining those whom they ordained, and in looking into the behaviour of their clergy, than had been formerly practised: but they were faithful to the government, and zealous for it; they were gentle to the dissenters, and did not rail at them, nor seem uneasy at the toleration. This was thought such a heinous matter, that all their other diligence was despised; and they were represented as men who designed to undermine the church, and to betray it.

Of this I will give one instance; the matter was of great importance; and it occasioned great and long debates in this, and in the former session of parliament; it related to the duke of Norfolk, who had proved his wife guilty of adultery, and did move for an act of parliament, dissolving his marriage, and allowing him to marry again. In the later ages of popery, when marriage was reckoned among the sacraments, an opinion grew to be received, that adultery did not break the bond, and that it could only entitle to a separation, but not such a dissolution of the marriage, as gave the party that was injured a right to marry again: this became the rule of the spiritual courts, though there was no definition made about it before the council of Trent. At the time of the reformation, a suit of this nature was prosecuted by the marquis of Northampton; the marriage was dissolved, and he married a second time: but he found it necessary to move for an act of parliament to confirm this subsequent marriage. In the reformation of the ecclesiastical laws, that was prepared by Cranmer and others, in king Edward's time, a rule was laid down, allowing of a second marriage, upon a divorce for adultery. This matter had lain asleep above an hundred years, till the present duke of Rutland, then lord Roos, moved for the like liberty. At that time a sceptical and libertine spirit prevailed, so that some began to treat marriage only as a civil contract, in which the parliament was at full liberty to make what laws they pleased; and most of king Charles's courtiers applauded this, hoping by this doctrine that the king might be divorced from the queen. The greater part of the bishops, apprehending the consequence

that lord Roos's act might have, opposed every step that was made in it; though many of them were persuaded, that in the case of adultery, when it was fully proved, a second marriage might be allowed. In the duke of Norfolk's case, as the lady was a papist, and a busy Jacobite, so a great party appeared for her. All that favoured the Jacobites and those who were thought engaged in lewd practices, espoused her concern with a zeal that did themselves little honour. Their number was such, that no progress could be made in the bill, though the proofs were but too full, and too plain. But the main question was, whether supposing the matter fully proved, the duke of Norfolk should be allowed a second marriage? The bishops were desired to deliver their opinions, with their reasons: all those who had been made during the present reign, were of opinion, that a second marriage in that case was lawful, and conformable, both to the words of the gospel, and to the doctrine of the primitive church; and that the contrary opinion was started in the late and dark ages. But all the bishops that had been made by the two former kings, were of another opinion, though some of them could not well tell why they were so. Here was a colour for men, who looked at things superficially, to observe that there was a difference of opinion, between the last made bishops, and those of an elder standing; from which they inferred, that we were departing from the received doctrine of our church; and upon that topic, the earl of Rochester charged us very vehemently. The bill was let fall at this time: nor was the dispute kept up, for no books were written on the subject of either side.

The king went beyond sea in May; and the campaign was opened soon after. The armies of both sides came very near one another: the king commanded that of the confederates, as the dauphin did the French. They lay between Brussels and Liege; and it was given out, that they intended to besiege Maestricht: the king moved towards Namur, that he might either cut off their provisions, or force them to fight; but they were resolved to avoid a battle; so they retired likewise, and the campaign passed over in the ordinary manner; both of them moving and watching one another. The king sent a great detachment to break into the French country at Pont Esperies; but though the body he sent had made a great advance, before the French knew any thing of their march, yet they sent away their cavalry with so much haste, and in so continued a march, that they were possessed of the pass before the body the king had sent could reach it; whereby they gained their point, though their cavalry suffered much. This design failing, the king sent another body towards Huy, who took it in a few days. It was become more necessary to do this, for the covering of Liege, which was now much broken into faction; their bishop was dead, and there was a great division in the chapter; some were for the elector of Cologne, and others were for the elector Palatine's brother; but that for the elector of Cologne was the stronger party, and the court of Rome judged in their favour. The differences between that court and that of Versailles, were now so far made up, that the bulls for the bishops, whom the king had named to the vacant sees, were granted, upon the submission of all those who had been concerned in the articles of 1682; yet after all that reconciliation, the real inclinations of the court of Rome lay still towards the confederates: the alliance that France was in with the Turk, was a thing of an odious sound at Rome. The taking of Huy covered Liege; so that they were both safer and quieter. The confederates, especially the English and the Dutch, grew weary of keeping up vast armies, that did nothing else, but lay for some months advantageously posted, in view of the enemy, without any action.

On the Rhine, things went much in the usual manner; only at the end of the campaign, the prince of Baden passed the Rhine, and raised great contributions in Alsace, which the French suffered him to do, rather than hazard a battle. There was nothing of any importance done on either side in Piedmont; only there appeared to be some secret management between the court of France, and that of Turin, in order to a peace; it was chiefly negotiated at Rome, but was all the while denied by the duke of Savoy.

In Catalonia, the Spaniards were beat off from some posts, and Gironne was taken; nor was Barcelona in any condition to have resisted, if the French had set down before it. The court of Madrid felt their weakness, and saw their danger so visibly, that they were forced to implore the protection of the English fleet. The French had carried the best part of their naval force into the Mediterranean, and had resolved to attack Barcelona, both by sea and

land, at the same time ; and, upon their success there, to have gone round Spain, destroying their coasts every where. All this was intended to force them to accept the offers the French were willing to make them ; but to prevent this, Russel was ordered to sail into the Mediterranean with a fleet of threescore great ships. He was so long stopt in his voyage by contrary winds, that the French, if they had pursued their advantages, might have finished the conquest of Catalonia ; but they resolved not to hazard their fleet ; so it was brought back to Toulon, long before Russel could get into the Mediterranean, which was now left entirely free to him. But it was thought that the French intended to make a second attempt, in the end of the year, as soon as he should sail back to England : so it was proposed, that he might lie at Cadiz all the winter. This was an affair of that importance, that it was long and much debated, before it was resolved on. It was thought a dangerous thing to expose the best part of our fleet, so much as it must be, while it lay at so great a distance from us, that convoys of stores and provisions might easily be intercepted ; and indeed, the ships were so low in their provisions, when they came back to Cadiz (the vessels that were ordered to carry them having been stopped four months in the channel by contrary winds) that our fleet had not then above a fortnight's victuals on board ; yet when the whole matter was thoroughly canvassed, it was agreed, that our ships might both lie safe, and be well careened at Cadiz : nor was the difference in the expense, between their lying there, and in our own ports, considerable. By our lying there, the French were shut within the Mediterranean ; so that the ocean and their coasts were left open to us. They were in effect shut up within Toulon ; for they, having no other port in those seas but that, resolved not to venture abroad ; so that now we were masters of the seas every where. These considerations determined the king to send orders to Russel, to lie all the winter at Cadiz ; which produced very good effects. The Venetians and the great duke had not thought fit to own the king till then. A great fleet of stores and ammunition, with all other provisions for the next campaign, came safe to Cadiz ; and some clean men of war were sent out, in exchange for others, which were ordered home.

But while we were very fortunate in our main fleet, we had not the like good success in an attempt that was made on Camaret, a small neck of land that lies in the mouth of the river of Brest, and would have commanded that river, if we could have made ourselves masters of it. Talmash had formed the design of seizing on it ; he had taken care to be well informed of every thing relating to it : six thousand men seemed to be more than were necessary for taking and keeping it. The design, and the preparations for it, were kept so secret, that there was not the least suspicion of the project, till the hiring transport ships discovered it. A proposition had been made of this two years before to the earl of Nottingham, who, among other things, charged Russel with it, that this had been laid before him by men that came from thence, but that he had neglected it. Whether the French apprehended the design from that motion, or whether it was now betrayed to them, by some of those who were in the secret, I know not : it is certain, that they had such timely knowledge of it, as put them on their guard. The preparations were not quite ready by the day that was settled ; and, when all was ready, they were stopt by a westerly wind for some time ; so that they came thither a month later than was intended. They found the place was well fortified by many batteries, that were raised in different lines upon the rocks, that lay over the place of descent ; and great numbers were there ready to dispute their landing. When our fleet came so near as to see all this, the council of officers were all against making the attempt ; but Talmash had set his heart so much upon it, that he could not be diverted from it.

He fancied the men they saw were only a rabble brought together to make a show, though it appeared very evidently that there were regular bodies among them, and that their numbers were double to his. He began with a landing of six hundred men, and put himself at the head of them. The men followed him with great courage, but they were so exposed to the enemies' fire, and could do them so little harm, that it quickly appeared it was needlessly throwing away the lives of brave men to persist longer in so desperate an undertaking. The greatest part of those who landed were killed or taken prisoners, and not above an hundred of them came back. Talmash himself was shot in the thigh, of which he

died in a few days, and was much lamented ; for he was a brave and generous man, and a good officer, very fit to animate and encourage inferior officers and soldiers ; but he was much too apt to be discontented, and to turn mutinous ; so that upon the whole, he was one of those dangerous men that are capable of doing as much mischief as good service. Thus that design miscarried, which, if it had been undertaken at any time before the French were so well prepared to receive us, might have succeeded, and must have had great effects \*.

Our fleet came back to Plymouth ; and after they had set the land forces ashore, being well furnished with bomb-vessels and ammunition, they were ordered to try what could be done on the French coast †. They lay first before Dieppe, and burned it almost entirely to the ground. They went next to Havre de Grace, and destroyed a great part of that town. Dunkirk was the place of the greatest importance : so that attempt was long pursued in several ways, but none of them succeeded. These bombardings of the French towns soon spread a terror among all that lived near the coast : batteries were every where raised, and the people were brought out to defend their country : but they could do us no hurt, while our bombs at a mile's distance did great execution. The action seemed inhuman ; but the French, who had bombarded Genoa without a previous declaration of war, and who had so often put whole countries under military execution, even after they had paid the contributions that had been laid on them (for which they had protection given them), had no reason to complain of this way of carrying on the war, which they themselves had first begun.

The campaign ended every where to the advantage of the confederates, though no signal success had happened to their arms : and this new scene of action at sea raised the hearts of our people, as much as it sunk our enemies. The war in Turkey went on this year with various success : the Venetians made themselves masters of the isle of Scio, the richest and the best peopled of all the islands of the Archipelago : those of that island had a greater share of liberty left them, than any subjects of the Ottoman empire, and they flourished accordingly. The great trade of Smyrna that lay so near them, made them the more considerable. The Venetians fortified the port, but used the natives worse than the Turks had done : and as the island had a greater number of people upon it than could subsist by the productions within themselves, and the Turks prohibited all commerce with them from Asia, from whence they had their bread ; the Venetians could not keep this possession, unless they had carried off the greatest part of the inhabitants to the Morea, or their other dominions, that wanted people. The Turks brought their whole power at sea together, to make an attempt for recovering this island : two actions happened at sea, within ten days one of another ; in the last of which the Venetians pretended they had got a great victory : but their abandoning Scio, in a few days after, showed that they did not find it convenient to hold that island, which obliged them to keep a fleet at such a distance from their other dominions, and at a charge which the keeping the island could not balance. The Turks sent, as they did every year, a great convoy to Caminieck, guarded by the Crim-Tartars. The Polish army routed the convoy, and became masters of all the provisions ; but a second convoy was more happy, and got into the place ; otherwise it must have been abandoned. There was great distraction in the affairs of Poland : their queen's intrigues with the court of France gave much jealousy : their diets were broken up in confusion ; and they could never agree so far in the preliminaries, as to be able by their forms to do any business. In Transylvania, the emperor had, after a long blockade, forced Giula to surrender ; so that the Turks had now nothing in those parts, on the north of the Danube, but Temeswaer. The grand vizier came into Hungary with a great army, while the emperor had a very small one to oppose him. If the Turks had come on resolutely, and if the weather had continued good, it might have brought a fatal reverse on all the imperial affairs, and retrieved all that

\* There appears no cause to wonder at the failure of this expedition. It had been the common topic of conversation in London for a month before it sailed, so that the enemy were quite prepared to oppose us. Then there was considerable confusion in landing from the boats, so that Talmash could only land with nine hundred

infantry, who were immediately charged and cut to pieces by the French horse.—Shrewsbury Correspondence ; Coxe's Life of Marlborough ; Tindal's Contin. of Rapin's History.

† This expedition was at the king's express desire. See his letter, "Shrewsbury Correspondence," p. 44.

the Turks had lost. But the grand vizier lay still, while the emperor's army increased, and such rains fell that nothing could be done. The affairs of Turkey were thus in great disorder: the grand seignior died soon after; and his successor in that empire gave his subjects such hopes of peace, that they were calmed for the present.

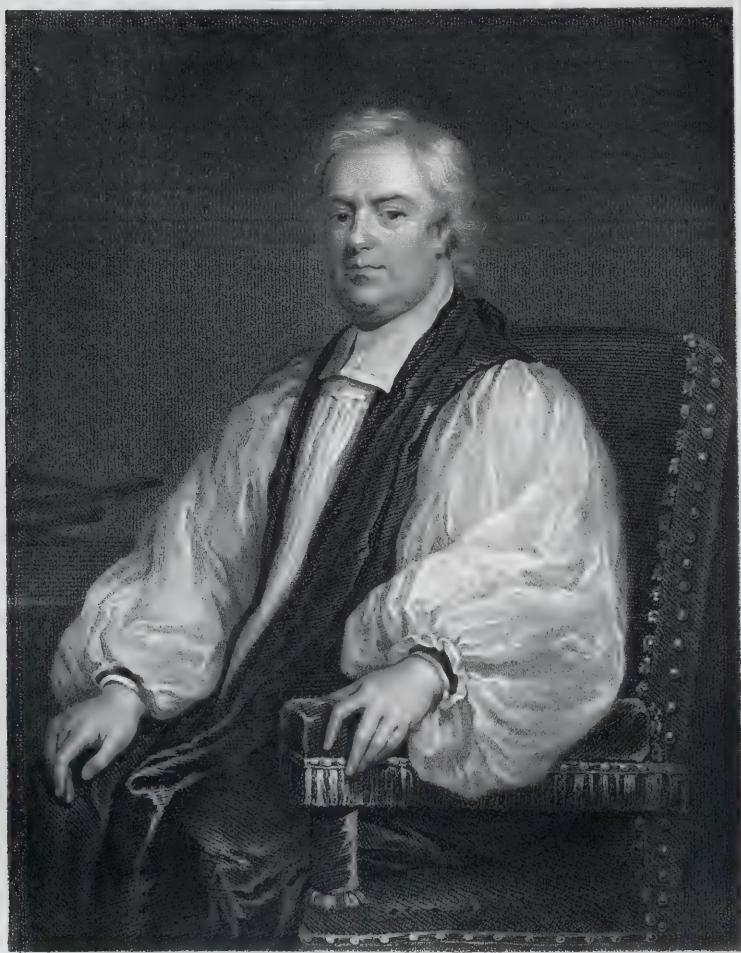
At the end of the campaign, the court of France flattered their people with hopes of a speedy end of the war: and some men of great consideration were sent to try what terms they could bring the empire or the states to: but the French were yet far from offering conditions, upon which a just or a safe peace could be treated of. The States sent some as far as to Maestricht, to see what powers those sent from France had brought with them, before they would grant them the passports that they desired: and when they saw how limited these were, the negotiation was soon at an end; or rather it never began. When the French saw this, they disowned their having sent any on such an errand; and pretended that this was only an artifice of the confederates to keep one another and their people in heart, by making them believe that they had now only a small remnant of the war before them, since the French had instruments every where at work to solicit a peace.

The king came to England in the beginning of November, and the parliament was opened with a calmer face than had appeared in any session during this reign. The supplies that were demanded, the total amounting to five millions, were all granted readily. An ill humour indeed appeared in some who opposed the funds, that would most easily and most certainly raise the money that was given, upon this pretence, that such taxes would grow to be a general excise; and that the more easily money was raised, it would be the more easy to continue such duties to a longer period, if not for ever. The truth was, the secret enemies of the government proposed such funds as would be the heaviest to the people, and would not fully answer what they were estimated at; that so the nation might be uneasy under that load, and that a constant deficiency might bring on such a debt, that the government could not discharge, but must sink under it.

With the supply bills, as the price or bargain for them, the bill for frequent parliaments went on: it enacted, that a new parliament should be called every third year, and that the present parliament should be dissolved before the first of January, 1695-6; and to this the royal assent was given: it was received with great joy, many fancying that all their other laws and liberties were now the more secure, since this was passed into a law. Time must tell what effects it will produce; whether it will put an end to the great corruption with which elections were formerly managed, and to all those other practices that accompany them. Men that intended to sell their own votes within doors spared no cost to buy the votes of others in elections: but now it was hoped we should see a golden age, wherein the character men were in, and the reputation they had, would be the prevailing considerations in elections: and by this means it was hoped that our constitution, in particular that part of it which related to the house of commons, would again recover both its strength and reputation, which was now very much sunk; for corruption was so generally spread, that it was believed every thing was carried by that method.

But I am now coming towards the fatal period of this book. The queen continued still to set a great example to the whole nation, which shined in all the parts of it. She used all possible methods for reforming whatever was amiss. She took ladies off from that idleness which not only wasted their time but exposed them to many temptations: she engaged many both to read and to work: she wrought many hours a-day herself, with her ladies and her maids of honour working about her, while one read to them all. The female part of the court had been in the former reigns subject to much censure, and there was great cause for it; but she freed her court so entirely from all suspicion, that there was not so much as a colour for discourses of that sort. She did divide her time so regularly between her closet and business, her work and diversion, that every minute seemed to have its proper employment: she expressed so deep a sense of religion, with so true a regard to it; she had such right principles and just notions; and her deportment was so exact in every part of it; all being natural and unconstrained, and animated with due life and cheerfulness: she considered every thing that was laid before her so carefully, and gave such due encouragement to a freedom of speech: she remembered every thing so exactly, observing at the same time the





Engraved by W Holl.

JOHN TILLOTSON, ARCHBISHOP OF CANTERBURY

OB.1694

ONE OF THE ORIGINAL OF THE ENGRAVINGS IN THE COLLECTION OF

HIS GRACE THE ARCHBISHOP OF CANTERBURY





closest reservedness, yet with an open air and frankness : she was so candid in all she said, and cautious in every promise she made ; and, notwithstanding her own great capacity, she expressed such a distrust of her own thoughts, and was so entirely resigned to the king's judgment, and so constantly determined by it, that when I laid all these things together, which I had large opportunities to observe, it gave a very pleasant prospect to balance the melancholy view that arose from the ill posture of our affairs in all other respects. It gave us a very particular joy when we saw that the person, whose condition seemed to mark her out as the defender and perfecter of our reformation, was such in all respects in her public administration, as well as in her private deportment, that she seemed well fitted for accomplishing that work for which we thought she was born : but we soon saw this hopeful view blasted, and our expectations disappointed, in the loss of her.

It was preceded by that of archbishop Tillotson, who was taken ill of a fit of a dead palsy in November, while he was in the chapel at Whitehall, on a Sunday, in the worship of God : he felt it coming on him, but, not thinking it decent to interrupt the divine service, he neglected it too long, till it fell so heavily on him, that all remedies were ineffectual ; and he died the fifth day after he was taken ill \*. His distemper did so oppress him, and speaking was so uneasy to him, that though it appeared by signs and other indications that his understanding remained long clear, yet he was not able to express himself so as to edify others. He seemed still serene and calm, and in broken words he said he thanked God he was quiet within, and had nothing then to do but to wait for the will of Heaven. I preached his funeral sermon, in which I gave a character of him which was so severely true, that I perhaps kept too much within bounds, and said less than he deserved. But we had lived in such friendship together, that I thought it was more decent, as it always is more safe, to err on that hand. He was the man of the truest judgment and best temper I had ever known : he had a clear head, with a most tender and compassionate heart : he was a faithful and zealous friend, but a gentle and soon conquered enemy : he was truly and seriously religious, but without affectation, bigotry, or superstition : his notions of morality were fine and sublime : his thread of reasoning was easy, clear, and solid : he was not only the best preacher of the age, but seemed to have brought preaching to perfection : his sermons were so well heard and liked, and so much read, that all the nation proposed him as a pattern, and studied to copy after him : his parts remained with him clear and unclouded ; but the perpetual slanders and other ill usage he had been followed with for many years, most particularly since his advancement to that great post, gave him too much trouble, and too deep a concern : it could neither provoke him, nor fright him from his duty ; but it affected his mind so much, that this was thought to have shortened his days.

Sancroft had died a year before in the same poor and despicable manner, in which he had lived for some years : he died in a state of separation from the church ; and yet he had not the courage to own it in any public declaration : for neither living nor dying did he publish any thing concerning it. His death ought to have put an end to the schism that some were endeavouring to raise ; upon this pretence, that a parliamentary deprivation was never to be allowed, as contrary to the intrinsic power of the church ; and therefore they looked on Sancroft as the archbishop still, and reckoned Tillotson an usurper, and all that joined with him were counted schismatics ; they were willing to forget, as some of them did plainly condemn, the deprivations made in the progress of the reformation, more particularly those in the first parliament of queen Elizabeth's reign, and the deprivations made by the act of uniformity in the year 1662 : but from thence the controversy was carried up to the fourth century ; and a great deal of angry reading was brought out on both sides to justify, or to condemn, those proceedings. But arguments will never have the better of interest and humour ; yet now, even according to their own pretensions, the schism ought to have ceased ; since he, on whose account it was set up, did never assert his right ; and therefore that might have been more justly construed a tacit yielding it ; but those who have a mind to

\* Tillotson died on the 24th of November, 1694. His integrity and freedom from avarice is attested by the fact that his widow, a niece of Oliver Cromwell, was supported by the bounty of king William.—Noble's Continuation of Grainger.

embroil church or state, will never want a pretence, and no arguments will beat them from it.

Both king and queen were much affected with Tillotson's death: the queen for many days spoke of him in the tenderest manner, and not without tears. He died so poor that, if the king had not forgiven his first fruits, his debts could not have been all paid: so generous and charitable was he in a post, out of which Sancroft had raised a great estate, which he left to his family; but Tillotson was rich in good works. His see was filled by Tenison, bishop of Lincoln. Many wished that Stillingfleet might have succeeded, he being not only so eminently learned, but judged a man in all respects fit for the post. The queen was inclined to him; she spoke with some earnestness oftener than once to the duke of Shrewsbury on that subject: she thought he would fill that post with great dignity: she also pressed the king earnestly for him: but as his ill health made him not capable of the fatigue that belonged to this province, so the whigs did generally apprehend that both his notions and his temper were too high; and all concurred to desire Tenison, who had a firmer health, with a more active temper, and was universally well liked for having served the cure of St. Martin's, in the worst time, with so much courage and discretion; so that at this time he had many friends and no enemies\*.

The small pox raged this winter about London, some thousands dying of them, which gave us great apprehensions with relation to the queen, for she had never had them.

In conclusion, she was taken ill, but the next day that seemed to go off: I had the honour to be half an hour with her that day, and she complained then of nothing. The day following she went abroad; but her illness returned so heavily on her that she could disguise it no longer: she shut herself up long in her closet that night, and burned many papers, and put the rest in order; after that she used some slight remedies, thinking it was only a transient indisposition; but it increased upon her, and, within two days after, the small pox appeared, and with very bad symptoms. I will not enter into another's province, nor speak of matters so much out of the way of my own profession: but the physicians' part was universally condemned, and her death was imputed to the negligence, or unskilfulness, of Dr. Ratcliffe. He was called for, and it appeared but too evidently that his opinion was chiefly considered, and was most depended on. Other physicians were afterwards called, but not till it was too late†. The king was struck with this beyond expression. He came on the second day of her illness and passed the bill for frequent parliaments, which, if he had not done that day, it is very probable he would never have passed it. The day after, he called me into his closet, and gave a free vent to a most tender passion; he burst out into tears, and cried out that there was no hope of the queen, and that, from being the most happy, he was now going to be the most miserable, creature upon earth. He said, during the whole course of their marriage, he had never known one single fault in her: there was a worth in her that nobody knew besides himself; though he added, that I might know as much of her as any other person did. Never was such a face of universal sorrow seen in a court, or in a town, as at this time: all people, men and women, young and old, could scarcely refrain from tears. On Christmas-day the small pox sunk so entirely, and the queen felt herself so well upon it, that it was for a while concluded she had the measles, and that the danger was over. This hope was ill grounded, and of a short continuance; for, before night, all was sadly changed. It appeared that the small pox were now so sunk that there was no hope of raising them. The new archbishop attended on her; he performed all devotions, and had much private discourse with her. When the desperate condition she was in was evident

\* Dr. Thomas Tenison is described by Mackay in his "Memoirs," as being "a plain, good, heavy man;" a sketch that his conduct, as metropolitan, justifies us in thinking accurate. Dr. Stillingfleet was every way his superior; but, in those days, it was a point of importance to obtain a man for that high office who would not do any harm. Tenison appeared to disadvantage from being in such close juxtaposition to Tillotson. He was born at Cottenham, in Cambridgeshire, during the year 1636. It was while he held the rectory of St.

Martin's-in-the-fields, to which he was presented in 1689, that he founded the library which has just been thrown open to the public. It was for his strenuous opposition to popery, in the reign of James, that he obtained the bishopric of Lincoln in 1691, from whence he was translated to Canterbury. He died in 1715.—Biog. Britan.; Noble's Continuation of Grainger.

† Dr. Ratcliffe always declared that he was not called in until human skill could be of no avail. Burnet's statement shows that medical aid was long deferred.

beyond doubt, he told the king he could not do his duty faithfully, unless he acquainted her with the danger she was in. The king approved of it, and said, whatever effect it might have, he would not have her deceived in so important a matter. And, as the archbishop was preparing the queen with some address, not to surprise her too much with such tidings, she presently apprehended his drift, but showed no fear nor disorder upon it. She said she thanked God she had always carried this in her mind, that nothing was to be left to the last hour ; she had nothing then to do but to look up to God, and submit to his will ; it went further indeed than submission, for she seemed to desire death rather than life ; and she continued to the last minute of her life in that calm and resigned state. She had formerly written her mind, in many particulars, to the king : and she gave order to look carefully for a small scrutoire that she made use of, and to deliver it to the king : and, having dispatched that, she avoided the giving herself or him the tenderness which a final parting might have raised in them both. She was almost perpetually in prayer. The day before she died she received the sacrament, all the bishops, who were attending, being admitted to receive it with her : we were, God knows, a sorrowful company ; for we were losing her who was our chief hope and glory on earth : she followed the whole office, repeating it after the archbishop : she apprehended, not without some concern, that she should not be able to swallow the bread, yet it went down easily. When this was over, she composed herself solemnly to die ; she slumbered sometimes, but said she was not refreshed by it ; and said often that nothing did her good but prayer ; she tried once or twice to have said somewhat to the king, but was not able to go through with it. She ordered the archbishop to be reading to her such passages of Scripture as might fix her attention and raise her devotion. Several cordials were given, but all was ineffectual ; she lay silent for some hours : and some words that came from her showed her thoughts began to break. In conclusion, she died on the 28th of December, about one in the morning, in the thirty-third year of her age, and in the sixth of her reign.

She was the most universally lamented princess, and deserved the best to be so, of any in our age, or in our history. I will add no more concerning her in the way of a character : I have said a great deal already in this work ; and I wrote a book, as an essay on her character, in which I have said nothing but that which I knew to be strictly true, without the enlargement of figure or rhetoric\*. The king's affliction for her death was as great as it was just ; it was greater than those who knew him best thought his temper capable of : he went beyond all bounds in it : during her sickness, he was in an agony that amazed us all, fainting often, and breaking out into most violent lamentations. When she died, his spirits sunk so low, that there was great reason to apprehend that he was following her ; for some weeks after he was so little master of himself, that he was not capable of minding business, or of seeing company. He turned himself much to the meditations of religion, and to secret prayer ; the archbishop was often and long with him : he entered upon solemn and serious resolutions of becoming in all things an exact and exemplary Christian. And now I am come to the period of this book with a very melancholy prospect ; but God has ordered matters since beyond all our expectations†.

\* Burnet's work, with the queen's portrait, was published in 1695. See an account of this essay in Mr. D'Israeli's Curiosities of Literature, second series, article "True Sources of Secret History."

† Burnet's character of queen Mary has never been controverted in any material points. The mutual affec-

tion that was professed between her and the king was certainly genuine. Her private letters express naturally her love for him ; and, after he was dead, a bracelet of her hair was found upon his arm.—Noble's Continuation of Grainger.

## BOOK VI.

## OF THE LIFE AND REIGN OF KING WILLIAM THE THIRD.



HE two houses of parliament set an example that was followed by the whole nation, of making consolatory and dutiful addresses to the king. The queen was buried with the ordinary ceremony, and with one piece of magnificence that could never happen before ; for both houses of parliament went in procession before the chariot that carried her body to Westminster Abbey ; where places were prepared for both houses to sit in form, while the archbishop preached the funeral sermon. This could never happen before, since the sovereign's death had always dissolved our parliaments. It is true, the earl of Rochester tried if he could have raised a doubt of the legality of this parliament's continuance, since it was summoned by king William and queen Mary ; so, upon her death, the writ that ran in her name seemed to die with her. This would have had fatal consequences, if in that season of the year all things must have stood still till a new parliament could have been brought together : but the act that put the administration entirely in the king, though the queen had a share in the dignity of sovereign, made this cavil appear to be so ill grounded, that nobody seconded so dangerous a suggestion.

The parliament went on with the business of the nation, in which the earl of Rochester and that party artfully studied all that was possible to embroil our affairs. The state of our coin gave them too great a handle for it. We had two sorts of coin : the one was milled, and could not be practised on ; but the other was not so, and was subject to clipping : and in a course of some years the old money was every year so much diminished, that it at last grew to be less than the half of the intrinsic value. Those who drove this trade were as much enriched as the nation suffered by it. When it came to be generally observed, the king was advised to issue out a proclamation, that no money should pass for the future by the tale, but by the weight, which would put a present end to clipping. But Seymour, being then in the treasury, opposed this : he advised the king to look on, and let that matter have its course : the parliament would in due time take care of it ; but in the meanwhile the badness of money quickened the circulation, while every one studied to put out of his hands all the bad money ; and this would make all people the readier to bring their cash into the exchequer, and so a loan was more easily made. The badness of the money began now to grow very visible ; it was plain that no remedy could be provided for it, but by recoining all the specie of England ; and that could not be set about in the end of a session. The earls of Rochester and Nottingham represented this very tragically in the house of lords, where it was not possible to give the proper remedy ; it produced only an act with stricter clauses and severer penalties against clippers : this had no other effect but that it alarmed the nation, and sunk the value of our money in the Exchange : guineas, which were equal in value to twenty-one shillings and sixpence in silver, rose to thirty shillings ; that is to say, thirty shillings sunk to twenty-one shillings and sixpence. This public disgrace put on our coin, when the evil was not cured, was in effect a great point carried, by which there was an opportunity given to sink the credit of the government, and of the public funds ; and it brought a discount of about 40*l.* per cent. upon tallies.

Another bill was set on foot, which was long pursued, and in conclusion carried by the tories : it was concerning trials for treason ; and the design of it seemed to be to make men

as safe in all treasonable conspiracies and practices as was possible : two witnesses were to concur to prove the same fact, at the same time : counsel in matters of fact, and witnesses upon oath, were by it allowed to the prisoners ; they were to have a copy of the indictment and the panel in due time : all these things were in themselves just and reasonable : and if they had been moved by other men, and at another time, they would have met with little opposition : they were chiefly set on by Finch, the earl of Nottingham's brother, who had been concerned in the hard prosecutions for treasons in the end of king Charles's reign, and had then carried all prerogative points very far ; but was, during this reign, in a constant opposition to every thing that was proposed for the king's service : he had a copious way of speaking, with an appearance of beauty and eloquence to vulgar hearers ; but there was a superficialness in most of his harangues that made them seem tedious to better judges ; his rhetoric was all vicious, and his reasoning was too subtle. The occasion given for this bill leads me to give an account of some trials for treason during the last summer, which, for the relation they have to this matter, I have reserved for this place.

Lunt, an Irishman, who was bold and poor, and of a mean understanding, had been often employed to carry letters and messages between Ireland and England when king James was there. He was once taken up on suspicion, but he was faithful to his party, and would discover nothing ; so he continued after that to be trusted by them. But, being kept very poor, he grew weary of his low estate, and thought of gaining the rewards of a discovery. He fell into the hands of one Taaff, an Irish priest, who had not only changed his religion, but had married in king James's time. Taaff came into the service of the present government, and had a small pension. He was long in pursuit of a discovery of the imposture in the birth of the prince of Wales, and was engaged with more success in discovering the concealed estates of the priests and the religious orders, in which some progress was made. These seemed to be sure evidences of the sincerity of the man, at least in his opposition to those whom he had forsaken, and whom he was provoking in so sensible a manner. All this I mention the more particularly to show how little that sort of men are to be depended on ; he possessed those to whom his other discoveries gave him access, of the importance of this Lunt, who was then come from St. Germains, and who could make great discoveries : so Lunt was examined by the ministers of state ; and he gave them an account of some discourses and designs against the king, and of an insurrection, that was to have broken out in the year 1692, when king James was designing to come over from Normandy : for he said he had carried at that time commissions to the chief men of the party, both in Lancashire and Cheshire. A carrier had been employed to carry down great quantities of arms to them : one of the chests, in which they were put up, had broken in the carriage, so the carrier saw what was in them ; and he deposed he had carried many of the same weight and size : the persons concerned, finding the carrier was true and secret, continued to employ him in that sort of carriage for a great while. Lunt's story seemed probable and coherent in all its circumstances : so orders were sent to seize on some persons, and to search houses for arms. In one house they found arms for a troop of horse, built up within walls very dexterously. Taaff was all this while very zealous in supporting Lunt's credit, and in assisting him in his discoveries. A solemn trial of the prisoners was ordered in Lancashire. When the set time drew near, Taaff sent them word that, if he should be well paid for it, he would bring them all off : it may be easily imagined that they stuck at nothing for such a service. He had got out of Lunt all his depositions, which he disclosed to them ; so they had the advantage of being well prepared to meet and overthrow his evidence in many circumstances : and at the trial Taaff turned against him, and witnessed many things against Lunt that shook his credit. There was another witness that supported Lunt's evidence, but he was so profligate a man, that great and just objections lay against giving him any credit ; but the carrier's evidence was not shaken. Lunt, in the trial, had named two gentlemen wrong, mistaking the one for the other ; but he quickly corrected his mistake : he had seen them but once, and they were both together, so he might mistake their names ; but he was sure these were the two persons with whom he had those treasonable negotiations. Taaff had engaged him in company in London, to whom he had talked very idly, like a man who resolved to make a fortune by swearing : and it seemed, by what he said, that he had many

discoveries yet in reserve, which he intended to spread among many, till he should grow rich and considerable by it : this was sworn against him. By all these things his evidence was so blasted that no credit was given to him. Four of the judges were sent down to try the prisoners at Manchester and at Chester, where they managed matters with an impartial exactness. Any leaning that appeared was in favour of the prisoners, according to a characteristic that judges had always pretended to, but had not of late deserved so well as upon this occasion, of being counsel for the prisoner. The evidence that was brought against Lunt was afterwards found to be false ; but it looked then with so good an appearance, that both the king's counsel and the judges were satisfied with it ; and so, without calling for the rest of the evidence, the matter was let fall : and when the judges gave the charge to the jury, it was in favour of the prisoners, so that they were acquitted. And the rest of those who were ordered to be tried after them were all discharged without trial.

The whole party triumphed upon this as a victory, and complained both of the ministers of state and of the judges : the matter was examined into by both houses of parliament, and it evidently appeared that the proceeding had been not only exactly according to law, but that all reasonable favour had been shewed the prisoners ; so that both houses were fully satisfied : only the earls of Rochester and Nottingham hung on the matter long, and with great eagerness, and, in conclusion, protested against the vote by which the lords justified these proceedings. This examination was brought on with much noise, to give the more strength to the bill of treasons : but the progress of the examination turned so much against them who had made this use of it, that it appeared there was no just occasion given by that trial to alter the law. Yet the commons passed the bill : but the lords insisted on a clause, that all the peers should be summoned to the trial of a peer that was charged with high treason : the commons would not agree to that ; and so the bill was dropped for this time. By the late trial it had manifestly appeared how little the crown gained by one thing, which yet was thought an advantage, that the witnesses for the prisoner were not upon oath. Many things were upon this occasion witnessed in favour of the prisoners, which were afterwards found to be notoriously false : and it is certain that the terror of an oath is a great restraint, and many, whom an oath might overawe, would more freely allow themselves the liberty of lying in behalf of a prisoner to save his life.

When this design failed, another was set up against the bank, which began to have a flourishing credit, and had supplied the king so regularly with money, and that upon such reasonable terms, that those who intended to make matters go heavily, tried what could be done to shake the credit of the bank. But this attempt was rejected in both houses with indignation : it was very evident that public credit would signify little, if what was established in one session of parliament might be fallen upon and shaken in another.

Towards the end of the session, complaints were made of some military men who did not pay their quarters, pretending their own pay was in arrear ; but, it appearing that they had been paid, and the matter being further examined into, it was found that the superior officers had cheated the subalterns, which excused their not paying their quarters. Upon this the enquiry was carried further, and such discoveries were made, that some officers were broken upon it, while others prevented complaints, by satisfying those whom they had oppressed. It was found out that the secretary of the treasury had taken two hundred guineas, for procuring the arrears due to a regiment to be paid : wherupon he was sent to the Tower, and turned out of his place. Many were the more sharpened against him, because it was believed that he, as well as Trevor, the speaker, was deeply concerned in corrupting the members of the house of commons : he had held his place both in king Charles's and king James's time : and the share he had in the secret distribution of money, had made him a necessary man for those methods.

But the house, being on this scent, carried the matter still further. In the former session of parliament, an act had passed, creating a fund for the repayment of the debt owing to the orphans, by the chamber of London ; and the chamber had made Trevor a present of a thousand guineas, for the service he did them in that matter : this was entered in their books, so that full proof was made of it. It was indeed believed that a much greater present had been made him in behalf of the orphans ; but no proof of that appeared : whereas what

had been taken in so public a manner could not be hid. This was objected to Trevor as corruption and a breach of trust ; and upon it he was expelled the house : and Mr. Paul Foley was chosen speaker in his room ; who had got great credit by his integrity, and his constant complaining of the administration.

One discovery made way for another : it was found that in the books of the East India company there were entries made of great sums given for secret services done the company, that amounted to 170,000*l.* : and it was generally believed that the greatest part of it had gone among the members of the house of commons. For the two preceding winters there had been attempts eagerly pursued by some for breaking the company, and either opening a free trade to the Indies, or at least erecting a new company : but it was observed that some of the hottest sticklers against the company did insensibly not only fall off from that heat, but turned to serve the company as much as they had at first endeavoured to destroy it. Seymour was among the chief of these : and it was said that he had 12,000*l.* of their money under the colour of a bargain for their saltpetre. Great pains and art were used to stifle this enquiry ; but curiosity, envy, and ill nature, as well as virtue, will on such occasions always prevail to set on enquiries. Those who have had nothing desire to know who have had something, while the guilty persons dare not show too great a concern in opposing discoveries. Sir Thomas Cook, a rich merchant, who was governor of the company, was examined concerning that great sum given for secret service : but he refused to answer. So a severe bill was brought in against him, in case he should not, by a prefixed day, confess how all that money had been disposed of. When the bill was sent up to the lords, and was likely to pass, he came in and offered to make a full discovery, if he might be indemnified for all that he had done, or that he might say, in that matter. The enemies of the court hoped for great discoveries that should disgrace both the ministers and the favourites : but it appeared that whereas both king Charles and king James had obliged the company to make them a yearly present of 10,000*l.*, that the king had received this but once ; and that though the company offered a present of 50,000*l.* if the king would grant them a new charter, and consent to an act of parliament confirming it, the king had refused to hearken to it. There were indeed presumptions that the marquis of Caermarthen had taken a present of five thousand guineas, which were sent back to sir Thomas Cook the morning before he was to make his discovery. The lords appointed twelve of their body to meet with twenty-four of the house of commons to examine into this matter ; but they were so ill satisfied with the account that was given them by the four persons who had been entrusted with the secret, that by a particular act, that passed both houses, they were committed to the Tower of London till the end of the next session of parliament, and restrained from disposing of their estates, real or personal. These were proceedings of an extraordinary nature, which could not be justified but from the extraordinary occasion that was given for them. Some said this looked like the setting up a court of inquisition, when new laws were made on purpose to discover secret transactions ; and that no bounds could be set to such a method of proceeding. Others said, that when entries were made of such sums secretly disposed of, it was as just for a parliament to force a confession, as it was common in the course of the law to subpœna a man to declare all his knowledge of any matter, how secretly soever it might have been managed, and what person soever might have been concerned in it. The lord president felt that he was deeply wounded with this discovery ; for, while the act against Cook was passing in the house of lords, he took occasion to affirm, with solemn protestations, that he himself was not at all concerned in that matter. But now all had broken out. One Firebrass, a merchant, employed by the East India company, had treated with Bates, a friend of the marquis of Caermarthen ; and for the favour that lord was to do them, in procuring them a new charter, Bates was to have for his use five thousand guineas. But now a new turn was to be given to all this : Bates swore that he indeed received the money, and that he offered it to that lord, who positively refused to take it : but, since it was already paid in, he advised Bates to keep it to himself ; though, by the examination, it appeared that Bates was to have 500*l.* for his own negotiating the affair : it did also appear that the money was paid into the hands of one of that lord's servants ; but he could not be come at. Upon this discovery the house of commons voted an

impeachment for a misdemeanour against the lord president. He, to prevent that, desired to be heard speak to that house in his own justification. When he was before them he set out the services that he had done the nation, in terms that were not thought very decent: he assumed the greatest share of the honour of the revolution to himself: he expressed a great uneasiness to be brought under so black an imputation, from which he cleared himself as much as words could do: in the end, he desired a present trial. Articles were upon that brought against him: he, in answer to these, denied his having received the money. But his servant, whose testimony only could have cleared that point, disappearing, the suspicion still stuck on him. It was intended to hang up the matter to another session; but an act of grace came in the end of this, with an exception indeed as to corruption: yet this whole discovery was let fall, and it was believed too many of all sides were concerned in it; for, by a common consent, it was never revived; and thus the session ended.

The first consultation after it was over was concerning the coin, what methods should be taken to prevent further clipping, and for remedying so great an abuse. Some proposed the recoining the money, with such a raising of the value of the species as should balance the loss upon the old money that was to be called in. This took with so many that it was not easy to correct an error that must have had very bad effects in the conclusion: for the only fixed standard must be the intrinsic value of an ounce of silver: and it was a public robbery that would very much prejudice our trade, not to keep the value of our specie near an equality with its weight and fineness in silver. So that the difference between the old and new money could only be set right by the house of commons, in a supply to be given for that end. The lord keeper, Somers, did indeed propose that which would have put an effectual stop to clipping for the future. It was, that a proclamation should be prepared with such secrecy, as to be published all over England on the same day, ordering money to pass only by weight; but that, at the same time, during three or four days after the proclamation, all persons, in every county, that had money, should bring it in to be told and weighed; and the difference was to be registered, and the money to be sealed up, to the end of the time given, and then to be restored to the owners; and an assurance was to be given, that this deficiency in weight should be laid before the parliament, to be supplied another way, and to be allowed them in the following taxes. But though the king liked this proposition, yet all the rest of the council were against it. They said this would stop the circulation of money, and might occasion tumults in the markets. Those whose money was thus to be weighed would not believe that the difference between the tale and the weight would be allowed them, and so might grow mutinous; therefore they were for leaving this matter to the consideration of the next parliament. So this proposition was laid aside; which would have saved the nation above a million of money. For now, as all people believed that the parliament would receive the clipped money in its tale, clipping went on, and became more visibly scandalous than ever it had been.

There was indeed reason to apprehend tumults: for, now, after the queen's death, the jacobites began to think, that the government had lost the half of its strength, and that things could not be kept quiet at home, when the king should be beyond sea. Some pretended they were for putting the princess in her sister's place; but that was only a pretence, to which she gave no sort of encouragement: king James lay at bottom. They fancied an invasion in the king's absence would be an easy attempt, which would meet with little resistance; so they sent some over to France, in particular one Charnock, a Fellow of Magdalen College, who in king James's time had turned papist, and was a hot and active agent among them. They undertook to bring a body of two thousand horse to meet such an army as should be sent over; but Charnock came back with a cold account, that nothing could be done at that time; upon which it was thought necessary to send over a man of quality, who should press the matter with some more authority; so the earl of Aylesbury was prevailed on to go. He was admitted to a secret conversation with the French king, and this gave rise to a design which was very near being executed the following winter.

But, if sir John Fenwick did not slander king James, they at this time proposed a shorter and more infallible way, by assassinating the king; for he said that some came over from

France about this time who assured their party, and himself in particular, that a commission was coming over, signed by king James, which they affirmed they had seen, warranting them to attack the king's person. This, it is true, was not yet arrived ; but some affirmed they had seen it, and that it was trusted to one who was on his way hither. Therefore, since the king was so near going over to Holland, that he would probably be gone before the commission could be in England, it was debated among the jacobites whether they ought not to take the first opportunity to execute this commission, even though they had it not in their hands. It was resolved to do it, and a day was set for it ; but, as Fenwick said, he broke the design, and sent them word that he would discover it if they would not promise to give over the thoughts of it ; and upon this reason, he believed, he was not let into the secret the following winter. This his lady told me from him, as an article of merit to obtain his pardon ; but he had trusted their word very easily, it seems, since he gave the king no warning to be on his guard, and the two witnesses whom he said he could produce to vouch this, were then under prosecution, and outlawed ; so that the proof was not at hand, and the warning had not been given as it ought to have been. But of all this the government knew nothing, and suspected nothing at this time.

The king settled the government of England, in seven lords justices, during his absence ; and in this a great error was committed, which had some ill effects, and was like to have had worse. The queen, when she was dying, had received a kind letter from, and had sent a reconciling message to the princess, and so that breach was made up. It is true the sisters did not meet ; it was thought that might throw the queen into too great a commotion, so it was put off till it was too late ; yet the princess came soon after to see the king, and there was after that an appearance of good correspondence between them ; but it was little more than an appearance \*. They lived still in terms of civility and in formal visits ; but the king did not bring her into any share in business, nor did he order his ministers to wait on her and give her any account of affairs. And now that he was to go beyond sea, she was not set at the head of the councils, nor was there any care taken to oblige those who were about her. This looked either like a jealousy and distrust, or a coldness towards her which gave all the secret enemies of the government a colour of complaint. They pretended zeal for the princess, though they came little to her ; and they made it very visible, on many occasions, that this was only a disguise for worse designs.

Two great men had died in Scotland the former winter, the dukes of Hamilton and Queensbury : they were brothers-in-law, and had been long great friends, but they became irreconcilable enemies. The first had more application, but the other had the greater genius. They were incompatible with each other, and indeed with all other persons ; for both loved to be absolute, and to direct every thing. The marquis of Halifax died in April this year. He had gone into all the measures of the tories, only he took care to preserve himself from criminal engagements. He studied to oppose every thing, and to embroil matters all he could. His spirit was restless, and he could not bear to be out of business. His vivacity and judgment sunk much in his last years, as well as his reputation. He died of a gangrene, occasioned by a rupture that he had long neglected. When he saw death so near him, and was warned that there was no hope, he shewed a great firmness of mind, and a calm that had much of true philosophy at least. He professed himself a sincere Christian, and lamented the former parts of his life, with solemn resolutions of becoming in all respects another man, if God should raise him up : and so, I hope, he died a better man than he lived.

The seven lords justices were the archbishop of Canterbury, the lord keeper, the lord privy seal, the lord steward, the lord chamberlain, the first secretary of state, and the first commissioner of the treasury †. They had no character nor rank except when four of them were together, and they avoided assembling to that number except at the council board, where it was necessary ; and when they were together they had regal authority vested in them. They were chosen by the posts they were in, so that no other person could think he was neglected by the preference : they were not envied by this titular greatness, since it was indeed only

\* This was brought about by lord keeper Somers.—Shrewsbury Correspondence.

† Dr. Tenison, sir John Somers, earl of Halifax, duke of Devonshire, duke of Dorset, duke of Shrewsbury, earl of Godolphin.

titular ; for they had no real authority trusted with them. They took care to keep within bounds, and to do nothing, but in matters of course, till they had the king's orders, to which they adhered exactly, so that no complaints could be made of them because they took nothing on them, and did only keep the peace of the kingdom, and transmit and execute the king's orders. The summer went over quietly at home ; for though the jacobites showed their disposition on some occasions, but most signally on the prince of Wales's birth-day, yet they were wiser than to break out into any disorder, when they had no hopes of assistance from France.

About the end of May the armies were brought together in Flanders ; the king drew his main force towards the French lines, and the design was formed to break through and to destroy the French Flanders. Luxembourg died this winter ; so the command of the French armies was divided between Villeroy and Boufflers, but the former commanded the stronger army. An attempt was made on the fort of Knock, in order to forcing the lines, and there was some action about it ; but all on the sudden Namur was invested, and the king drew off the main part of his army to besiege that place, and left above thirty thousand men under the command of the prince of Vaudemont, who was the best general he had ; for prince Waldeck died above a year before this. With that army he was to cover Flanders and Brabant, while the king carried on the siege.

As soon as Namur was invested, Boufflers threw himself into it, with many good officers and a great body of dragoons : the garrison was twelve thousand strong. A place so happily situated, so well fortified, and so well furnished and commanded, made the attempt seem bold and doubtful. The dry season put the king under another difficulty ; the Maese was so low that there was not water enough to bring up the barks, laden with artillery and ammunition, from Liege and Maestricht, so that many days were lost in bringing these overland ; and if Villeroy had followed the king close, it is thought he must have quitted the design ; but the French presumed upon the strength of the place and garrison, and on our being so little practised in sieges. They thought that Villeroy might make some considerable conquest in Flanders, and when that was done come in good time to raise the siege. Prince Vaudemont managed his army with such skill and conduct, that as he covered all the places on which he thought the French had an eye, so he marched with that caution, that though Villeroy had above double his strength, yet he could not force him to an engagement, nor gain any advantage over him. The military men that served under him, magnified his conduct highly, and compared it to any thing that Turenne, or the greatest generals of the age had done. Once it was thought, he could not get off ; but he marched under the cannon of Ghent without any loss. In this Villeroy's conduct was blamed, but without cause ; for he had not overseen his advantage, but had ordered the duke of Mayne, the French king's beloved son, to make a motion with the horse which he commanded ; and probably, if that had been speedily executed, it might have had ill effects on the prince of Vaudemont ; but the duke de Mayne despised Villeroy, and made no haste to obey his orders, so the advantage was lost, and the king of France put him under a slight disgrace for it. Villeroy attacked Dixmude and Deinse : the garrisons were not indeed able to make a great resistance ; but they were ill commanded. If their officers had been masters of a true judgment, or presence of mind, they might at least have got a favourable composition, and have saved the garrisons, though the places were not tenable ; yet they were basely delivered up, and about seven thousand men were made prisoners of war. And hereupon, though by a cartel that had been settled between the two armies, all prisoners were to be redeemed at a set price, and within a limited time ; yet the French having now so many men in their hands, did, without either colour or shame, give a new essay of their perfidiousness ; for they broke it upon this occasion, as they had often done at sea, indeed as often as any advantages on their side tempted them to it. The governors of those places were at first believed to have betrayed their trust and sold the garrisons, as well as the places, to the French ; but they were tried afterwards, and it appeared that it flowed from cowardice and want of sense ; for which one of them suffered, and the other was broken with disgrace.

Villeroy marched towards Brussels, and was followed by prince Vaudemont, whose chief care was to order his motions so, that the French might not get between him and the king's

camp at Namur. He apprehended that Villeroy might bombard Brussels, and would have hindered it if the town could have been wrought on to give him the assistance that he desired of them. Townsmen upon all such occasions are more apt to consider a present, though a small expense, than a great, though an imminent danger; so prince Vaudemont could not pretend to cover them. The electress of Bavaria was then in the town; and though Villeroy sent a compliment to her, yet he did not give her time to retire, but bombarded the place for two days, with so much fury, that a great part of the lower town was burnt down. The damage was valued at some millions, and the electress was so frighted, that she miscarried upon it of a boy. When this execution was done, Villeroy marched towards Namur; his army was now so much increased by detachments brought from the Rhine, and troops drawn out of garrisons, that it was said to be one hundred thousand strong. Both armies on the Rhine were so equal in strength that they could only lie on the defensive, neither side being strong enough to undertake any thing. M. de L'Orge commanded the French, and the prince of Baden the imperialists: the former was sinking as much in his health as in his credit, so a great body was ordered to march from him to Villeroy; and another body equal to that commanded by the landgrave of Hesse came and joined the king's army.

The siege was carried on with great vigour: the errors to which our want of practice exposed us were all corrected by the courage of our men: the fortifications, both in strength and in the extent of the outworks, were double to what they had been when the French took the place. Our men did not only succeed in every attack, but went much further.—In the first great sally the French lost so many, both officers and soldiers, that after that they kept within their works and gave us no disturbance. Both the king and the elector of Bavaria went frequently into the trenches: the town held out one month, and the citadel another. Upon Villeroy's approach, the king drew off all the troops that could be spared from the siege, and placed himself in his way with an army of sixty thousand men; but he was so well posted, that after Villeroy had looked on him for some days he found it was not advisable to attack him. Our men wished for a battle, as that which would not only decide the fate of Namur, but of the whole war. The French gave it out that they would put all to hazard rather than suffer such a diminution of their king's glory as the retaking that place seemed to be. But the signal of the citadel's treating, put an end to Villeroy's designs; upon which, he apprehending that the king might then attack him, drew off with so much precipitation, that it looked more like a flight than a retreat.

The capitulation was soon ended and signed by Bouflers, who, as was said, was the first mareschal of France that had ever delivered up a place. He marched out with five thousand men; so it appeared he had lost seven thousand during the siege, and we lost in it only about the same number. This was reckoned one of the greatest actions of the king's life, and indeed one of the greatest that is in the whole history of war. It raised his character much, both at home and abroad, and gave a great reputation to his troops: the king had the entire credit of the matter, his general officers having a very small share in it, being most of them men of low genius, and little practised in things of that nature. Cohorn, the chief engineer, signalized himself so eminently on this occasion, that he was looked on as the greatest man of the age, and outdid even Vauban, who had gone far beyond all those that went before him in the conduct of sieges: but it was confessed by all, that Cohorn had carried that art to a much farther perfection during this siege. The subaltern officers and soldiers gave hopes of a better race that was growing up, and supplied the errors and defects of their superior officers. As the garrison marched out, the king ordered Bouflers to be stopped, in reprisal for the garrisons of Dixmuyde and Deinse. Bouflers complained of this as a breach of articles, and the action seemed liable to censure. But many authorities and precedents were brought, both from law and history, to justify it. All obligations among princes, both in peace and war, must be judged to be reciprocal; so that he who breaks these first sets the other at liberty. At length the French consented to send back the garrisons, pursuant to the cartel: Bouflers was first set at liberty, and then these garrisons were released according to promise.

The officers were tried and proceeded against by councils of war, according to martial law. They were raised in the army by ill methods, and maintained themselves by worse: corrup-

tion had broken into the army, and oppression and injustice were much complained of. The king did not approve of those practices, but he did not inquire after them, nor punish them with a due severity; nor did he make difference enough between those who served well, sold nothing, and used their subalterns kindly, and those who set every thing to sale, and oppressed all that were under them; and when things of that kind go unpunished, they will soon make a great progress. There was little more done during the campaign in Flanders; nor was there any action upon the Rhine.

In Italy there was nothing done in the field by force of arms; but an affair of great consequence was transacted in a very mysterious manner. The duke of Savoy, after a very long blockade, undertook the siege of Casal; but he was so ill provided for it that no good account of it could be expected; the king had so little hopes of success, that he was not easily prevailed on to consent to the besieging it; but either the French intended to gain the pope and the Venetians, and in conclusion, that duke himself, with this extraordinary concession; or, since our fleet was then before Toulon, they judged it more necessary to keep their troops for the defence of their coast and fleet, than to send them to relieve Casal; so orders were sent to the governor to capitulate in such a number of days after the trenches were opened, so that the place was surrendered, though it was not at all straitened. It was agreed that it should be restored to the duke of Mantua, but so dismantled, that it might give jealousy to no side; and the slighting the fortifications went on so slowly, that the whole season was spent in it, a truce being granted all that while. Thus did the French give up Casal, after they had been at a vast expense in fortifying it, and had made it one of the strongest places in Europe.

Our fleet was all the summer master of the Mediterranean: the French were put into great disorder, and seemed to apprehend a descent, for Russel came before Marseilles and Toulon oftener than once: contrary winds forced him out to sea again, but with no loss. He himself told me he believed nothing could be done there; only the honour of commanding the sea, and of shutting the French within their ports, gave a great reputation to our affairs. In Catalonia the French made no progress; they abandoned Palamos, and made Gironne their frontier. The Spaniards once pretended to besiege Palamos, but they only pretended to do it; they desired some men from Russel, for he had regiments of marines on board: they said they had begun the siege, and were provided with every thing that was necessary to carry it on, only they wanted men, so he sent them some battalions; but when they came thither, they found not any one thing that was necessary to carry on a siege, not so much as spades, not to mention guns and ammunition; so Russel sent for his men back again. But the French of themselves quitted the place; for as they found the charge of the war in Catalonia was great, and though they met with a feeble opposition from the Spaniards, yet since they saw they could not carry Barcelona, so long as our fleet lay in those seas, they resolved to lay by in expectation of a better occasion. We had another fleet in our own channel that was ordered to bombard the French coast: they did some execution upon St. Malos, and destroyed Grandville, that lay not far from it: they also attempted Dunkirk, but failed in the execution: some bombs were thrown into Calais, but without any great effect, so that the French did not suffer so much by the bombardment as was expected: the country indeed was much alarmed by it; they had many troops dispersed all along their coast, so that it put their affairs in great disorder, and we were every where masters at sea. Another squadron, commanded by the marquis of Caermarthen (whose father was created duke of Leeds, to colour the dismissing him from business, with an increase of title), lay off from the isles of Scilly, to secure our trade and convoy our merchants. He was an extravagant man both in his pleasures and humours: he was slow in going to sea; and when he was out he fancied the French fleet was coming up to him, which proved to be only a fleet of merchant ships; so he left his station and retired into Milford haven, by which means that squadron became useless.

This proved fatal to our trade; many of our Barbadoes ships were taken by French cruizers and privateers. Two rich ships coming from the East Indies, were also taken one hundred and fifty leauges to the westward, by a very fatal accident, or by some treacherous advertisement, for cruizers seldom go so far into the ocean; and to complete the misfortunes

of the East India company, three other ships that were come near Galway, on the west of Ireland, fell into the hands of some French privateers. Those five ships were valued at a million, so here was great occasion of discontent in the city of London : they complained that neither the admiralty nor the government took the care that was necessary for preserving the wealth of the nation. A French man-of-war at the same time fell upon our factory on the coast of Guinea ; he took the small fort we had there, and destroyed it. These misfortunes were very sensible to the nation, and did much abate the joy which so glorious a campaign would otherwise have raised ; and much matter was laid in for ill humour to work upon.

The war went on in Hungary ; the new grand seignior came late into the field, but as late as it was the imperialists were not ready to receive him : he tried to force his way into Transylvania, and took some weak and ill-defended forts, which he soon after abandoned. Veterani, who was the most beloved of all the emperor's generals, lay with a small army to defend the entrance into Transylvania ; the Turks fell upon him and overpowered him with numbers ; his army was destroyed and himself killed, but they sold their lives dear : the Turks lost double their number and their best troops in the action, so that they had only the name and honour of a victory ; they were not able to prosecute it, nor to draw any advantage from it. The stragglers of the defeated army drew together towards the passes, but none pursued them, and the Turks marched back to Adrianople, with the triumph of having made a glorious campaign. There were some slight engagements at sea between the Venetians and the Turks, in which the former pretended they had the advantage, but nothing followed upon them. Thus affairs went on abroad during this summer.

There was a parliament held in Scotland, where the marquis of Tweedale was the king's commissioner. Every thing that was asked for the king's supply, and for the subsistence of his troops, was granted. The massacre in Glencoe made still a great noise, and the king seemed too remiss in inquiring into it ; but when it was represented to him that a session of parliament could not be managed without high motions and complaints of so crying a matter, and that his ministers could not oppose these, without seeming to bring the guilt of that blood that was so perfidiously shed, both on the king and on themselves, to prevent that, he ordered a commission to be passed under the great seal, for a precognition in that matter, which is a practice in the law of Scotland of examining into crimes before the persons concerned are brought upon their trial. This was looked on as an artifice to cover that transaction by a private inquiry ; yet when it was complained of in parliament, not without reflections on the slackness in examining into it, the king's commissioner assured them that, by the king's order, the matter was then under examination, and that it should be reported to the parliament. The inquiry went on, and in the progress of it a new practice of the earl of Bredalbane's was discovered ; for the Highlanders deposed that while he was treating with them, in order to their submitting to the king, he had assured them that he still adhered to king James's interest, and that he pressed them to come into that pacification, only to preserve them for his service till a more favourable opportunity. This, with several other treasonable discourses of his being reported to the parliament, he covered himself with his pardon, but these discourses happened to be subsequent to it, so he was sent a prisoner to the castle of Edinburgh : he pretended he had secret orders from the king to say any thing that would give him credit with them, which the king owned so far that he ordered a new pardon to be past for him. A great party came to be formed in this session of a very odd mixture ; the high presbyterians and the jacobites joined together to oppose every thing, yet it was not so strong as to carry the majority, but great heats arose among them.

The report of the massacre of Glencoe was made in full parliament ; by that it appeared that a black design was laid, not only to cut off the men of Glencoe but a great many more clans, reckoned to be in all above six thousand persons. The whole was pursued in many letters, that were written with great earnestness ; and though the king's orders carried nothing in them that was in any sort blameable, yet the secretary of state's letters went much further ; so the parliament justified the king's instructions, but voted the execution in Glencoe to have been a barbarous massacre, and that it was pushed on by the secretary of state's letters beyond the king's orders. Upon that they voted an address to be made to the

king, that he and others concerned in that matter might be proceeded against according to law ; this was carried by a great majority.

In this session, an act passed in favour of such of the episcopal clergy, as should enter into those engagements to the king that were by law required ; that they should continue in their benefices under the king's protection, without being subject to the power of the presbytery. This was carried with some address before the presbyterians were aware of the consequences of it, for it was plainly that which they call *erastianism*. A day was limited to the clergy for taking the oaths ; and by a very zealous and dexterous management, about seventy of the best of them were brought to take the oaths to the king : and so they came within the protection promised them by the act.

Another act passed that has already produced very fatal consequences to that kingdom, and may yet draw worse after it. The interlopers in the East India trade, finding that the company was likely to be favoured by the parliament, as well as by the court, were resolved to try other methods to break in upon that trade. They entered into a treaty with some merchants in Scotland ; and they had, in the former session, procured an act that promised letters patents to all such as should offer to set up new manufactures, or drive any new trade, not yet practised by that kingdom, with an exemption for twenty-one years from all taxes and customs, and with all such other privileges as should be found necessary for establishing or encouraging such projects. But here was a necessity of procuring letters patents, which they knew the credit that the East India company had at court would certainly render ineffectual. So they were now in treaty for a new act, which should free them from that difficulty. There was one Paterson, a man of no education, but of great notions, which, as was generally said, he had learned from the buccaneers, with whom he had consorted for some time. He had considered a place in Darien, where he thought a good settlement might be made, with another over against it in the South Sea ; and by two settlements there, he fancied a great trade might be opened both for the East and West Indies ; and that the Spaniards in the neighbourhood might be kept in great subjection to them : so he made the merchants believe, that he had a great secret, which he did not think fit yet to discover, and reserved to a fitter opportunity, only he desired that the West Indies might be named in any new act that should be offered to the parliament. He made them in general understand that he knew of a country, not possessed by Spaniards, where there were rich mines, and gold in abundance. While these matters were in treaty, the time of the king's giving the instructions to his commissioner for the parliament came on ; and it had been a thing of course, to give a general instruction to pass all bills for the encouragement of trade. Johnstoun told the king that he heard there was a secret management among the merchants for an act in Scotland, under which the East India trade might be set up ; so he proposed, and drew an instruction, empowering the commissioner to pass any bill, promising letters patents for encouraging of trade, yet limited so that it should not interfere with the trade of England. When they went down to Scotland, the king's commissioner either did not consider this, or had no regard to it, for he gave the royal assent to an act, that gave the undertakers, either of the East India or West India trade, all possible privileges, with exemption of twenty-one years from all impositions ; and the act directed letters patents to be passed under the great seal, without any further warrant for them. When this was printed, it gave a great alarm in England, more particularly to the East India company ; for many of the merchants of London resolved to join stock with the Scotch company, and the exemption from all duties gave a great prospect of gain. Such was the posture of affairs in Scotland.

In Ireland, the three lords justices did not agree long together ; the lord Capel studied to render himself popular, and espoused the interests of the English against the Irish, without any nice regard to justice or equity : he was too easily set on by those who had their own end in it to do every thing that gained him applause. The other two were men of severe tempers, and studied to protect the Irish, when they were oppressed ; nor did they try to make themselves otherwise popular than by a wise and just administration : so lord Capel was highly magnified, and they were as much complained of by all the English in Ireland. Lord Capel did undertake to manage a parliament so as to carry all things, if he was made lord deputy, and had power given him to place and displace such as he should name. This

was agreed to, and a parliament was held there, after he had made several removes. In the beginning of the session, things went smoothly ; the supply that was asked for the support of that government was granted ; all the proceedings in king James's parliament were annulled ; and the great act of settlement was confirmed and explained as they desired : but this good temper was quickly lost by the heat of some who had great credit with lord Capel. Complaints were made of sir Charles Porter, the lord chancellor, who was beginning to set on foot a tory humour in Ireland, whereas it was certainly the interest of that government to have no other division among them but that of English and Irish, and of protestant and papist. Lord Capel's party moved in the house of commons, that Porter should be impeached ; but the grounds upon which this motion was made appeared to be so frivolous, after the chancellor was heard by the house of commons, in his own justification, that he was voted clear from all imputation by a majority of two to one : this set the lord deputy and the lord chancellor, with all the friends of both, at so great a distance from each other, that it put a full stop, for some time, to all business.

Thus factions were formed in all the king's dominions ; and he being for so much of the year at a great distance from the scene, there was no pains taken to quiet these, and to check the animosities which arose out of them. The king studied only to balance them, and to keep up among the parties a jealousy of one another, that so he might oblige them all to depend more entirely on himself.

As soon as the campaign was over in Flanders, the king intended to come over directly into England ; but he was kept long on the other side by contrary winds. The first point that was under debate upon his arrival was, whether a new parliament should be summoned, or the old one be brought together again, which by the law that was lately passed, might sit till lady-day \*. The happy state the nation was in put all men, except the merchants, in a good temper ; none could be sure we should be in so good a state next year ; so that now probably elections would fall on men, who were well affected to the government ; a parliament that saw itself in its last session, might affect to be foward, the members by such a behaviour, hoping to recommend themselves to the next election ; besides, if the same parliament had been continued, probably the inquiries into corruption would have been carried on, which might divert them from more pressing affairs, and kindle greater heats : all which might be more decently dropped by a new parliament than suffered to lie asleep by the old one. These considerations prevailed, though it was still believed that the king's own inclinations led him to have continued the parliament yet one session longer ; for he reckoned he was sure of the major vote in it. Thus this parliament was brought to a conclusion, and a new one was summoned.

The king made a progress to the north ; and staid some days at the earl of Sunderland's, which was the first public mark of the high favour he was in. The king studied to constrain himself to a little more openness and affability than was natural to him ; but his cold and dry way had too deep a root not to return too oft upon him : the jacobites were so despaired, that few of them were elected ; but many of the sourer sort of whigs, who were much alienated from the king, were chosen : generally, they were men of estates ; but many were young, hot, and without experience. Foley was again chosen speaker, the demand of the supply was still very high, and there was a great arrear of deficiencies : all was readily granted, and lodged on funds that seemed to be very probable.

The state of the coin was considered, and there were great and long debates about the proper remedies. The motion of raising the money above its intrinsic value was still much pressed ; many apprehended this matter could not be cured, without casting us into great disorders : our money, they thought, would not pass, and so the markets would not be furnished ; and it is certain, that if there had been ill humours then stirring in the nation, this might have cast us into great convulsions. But none happened, to the disappointment of our enemies, who had their eyes and hopes long fixed on the effects this might produce. All came, in the end, to a wise and happy resolution of recoining all the specie of England, in milled money : all the old money was ordered to be brought in, in public payments or

\* The "Shrewsbury Correspondence" informs us that a general election had been resolved before the king left Namur.

loans, to the exchequer, and that by degrees ; first, the half-crown pieces, and the rest of the money by a longer day ; money of a bad alloy, as well as clipped money, was to be received, though this was thought an ill precedent, and that it gave too much encouragement to false coining, yet it was judged necessary upon this occasion, and it gave a present calm to a ferment that was then working all England over. Twelve hundred thousand pounds was given to supply the deficiency of the bad and clipped money. So this matter was happily settled, and was put in a way to be effectually remedied ; and it was executed with an order and a justice, with a quiet and an exactness, beyond all men's expectation. So that we were freed from a great and threatening mischief, without any of those effects that were generally apprehended from it \*.

The Bill of trials, in cases of treason, was again brought into the house of commons, and passed there ; when it came up to the lords, they added the clause for summoning all the peers to the trial of a peer, which was not easily carried ; for those who wished well to the bill looked on this as a device to lose it, as no doubt it was, and therefore they opposed it ; but, contrary to the hopes of the court, the commons were so desirous of the bill, that when it came down to them they agreed to the clause, and so the bill passed, and had the royal assent.

A severe bill was brought in for voiding all the elections of parliament men, where the elected had been at any expense in meat, drink, or money, to procure votes. It was very strictly penned ; but time must show whether any evasions can be found out to avoid it. Certainly, if it has the desired effect, it would prove one of the best laws that ever was made in England ; for abuses in elections were grown to most intolerable excesses, which threatened even the ruin of the nation. Another act passed against unlawful and double returns, for persons had been often returned, plainly contrary to the vote of the majority ; and in boroughs, where there was a contest, between the select number of the Corporation, and the whole populace ; both sides had obtained favourable decisions, as that side prevailed, on which the person elected happened to be : so both elections were returned, and the house judged the matter. But by this act, all returns were ordered to be made according to the last determination of the house of commons. These were thought good securities for future parliaments ; it had been happy for the nation, if the first of these had proved as effectual as the last was.

Great complaints were made in both houses of the act for the Scotch East India company, and addresses were made to the king, setting forth the inconveniences that were likely to arise from thence to England ; the king answered, that he had been ill served in Scotland, but he hoped remedies should be found to prevent the ill consequences, that they apprehended from the act : and soon after this, he turned out both the secretaries of state, and the marquis of Tweedale, and great changes were made in the whole ministry of that kingdom, both high and low. No enquiry was made, nor proceedings ordered, concerning the business of Glencoe, so that furnished the libellers with some colours in aspersing the king, as if he must have been willing to suffer it to be executed, since he seemed so unwilling to let it be punished.

But when it was understood in Scotland, that the king had disowned the act for the East India company, from which it was expected that great riches should flow into that kingdom, it is not easy to conceive how great and how general an indignation was spread over the whole kingdom ; the jacobites saw what a game it was likely to prove in their hands, they played it with great skill, and to the advantage of their cause, in a course of many years, and continue to manage it to this day. There was a great deal of noise made of the Scotch act in both houses of parliament in England by some who seemed to have no other design in that, but to heighten our distractions by the apprehensions that they expressed. The Scotch nation fancied nothing but mountains of gold, and the credit of the design rose so high, that subscriptions were made, and advances of money were offered, beyond what any

\* The cause of the coin being so liable to suffer by clipping, was its being broad and thin, from being old and hammered. The fresh issue, mentioned in the text, was called "the grand recoining of 1696." It amounted to £6,400,000 sterling. To expedite the issue, country

mints were established at Bristol, Chester, Exeter, Norwich, and York. The pieces there struck have the first letter of these names under the bust of the king. (Essay on Medals, 153. ed. 1784.)

believed the wealth of that kingdom could have furnished. Paterson came to have such credit among them, that the design of the East India trade, how promising soever, was wholly laid aside; and they resolved to employ all their wealth in the settling a colony, with a port and fortifications, in Darien; which was long kept a secret, and was only trusted to a select number empowered by this new company, who assumed to themselves the name of the African company, though they never meddled with any concern in that part of the world. The unhappy progress of this affair will appear in its proper time.

The losses of the merchants gave great advantages to those who complained of the administration; the conduct, with relation to our trade, was represented as at best a neglect of the nation, and of its prosperity. Some, with a more spiteful malice, said it was designed that we should suffer in our trade, that the Dutch might carry it from us; and how extravagant soever this might seem, it was often repeated by some men of virulent tempers. And in the end, when all the errors, with relation to the protection of our trade, were set out and much aggravated, a motion was made to create by act of parliament, a council of trade.

This was opposed by those who looked on it as a change of our constitution, in a very essential point. The executive part of the government was wholly in the king; so that the appointing any council, by act of parliament, began a precedent of their breaking in upon the execution of the law, in which it could not be easy to see how far they might be carried; it was indeed offered, that this council should be much limited as to its powers, yet many apprehended, that if the parliament named the persons, how low soever their powers might be at first, they would be enlarged every session; and from being a council to look into matters of trade, they would be next empowered to appoint convoys and cruisers; this in time might draw in the whole admiralty, and that part of the revenue or supply that was appropriated to the navy: so that a king would soon grow to be a duke of Venice, and indeed those who set this on most zealously did not deny that they designed to graft many things upon it.

The king was so sensible of the ill effects this would have, that he ordered his ministers to oppose it as much as possibly they could. The earl of Sunderland, to the wonder of many, declared for it, as all that depended on him promoted it; he was afraid of the violence of the republican party, and would not venture on provoking them; the ministers were much offended with him for taking this method to recommend himself at their cost; the king himself took it ill, and he told me, if he went on driving it as he did, that he must break with him; he imputed it to his fear; for the unhappy steps he had made in King James's time, gave his enemies so many handles and colours for attacking him, that he would venture on nothing that might provoke them. Here was a debate plainly in a point of prerogative, how far the government should continue on its ancient bottom of monarchy, as to the executive part, or how far it should turn to a commonwealth; and yet, by an odd reverse, the whigs, who were now most employed, argued for the prerogative, while the tories seemed zealous for public liberty: so powerfully does interest bias men of all forms.

This was going on, and probably would have passed in both houses, when the discovery of a conspiracy turned men's thoughts quite another way: so that all angry motions were let fall, and the session came to a very happy conclusion, with greater advantages to the king than could have been otherwise expected. We were all this winter alarmed, from many different quarters, with the insolent discourses of the jacobites, who seemed so well assured of a sudden revolution, which was to be both quick and entire, that at Christmas they said it would be brought about within six weeks. The French fleet, which we had so long shut up within Toulon, was now fitting out, and was ordered to come round to Brest; our fleet, that lay at Cadiz, was not strong enough to fight them, when they should pass the straits; Russel had come home, with many of the great ships, and had left only a squadron there; but a great fleet was ordered to go thither; it was ready to have sailed in December; but was kept in our ports by contrary winds till February: this was then thought a great unhappiness; but we found afterwards, that our preservation was chiefly owing to it: and it was so extraordinary a thing to see the wind fixed at south-west during the whole winter, that few could resist the observing a signal providence of God in it. We were all this while in great pain for Rook, who commanded the squadron that lay at Cadiz, and was likely to suffer for want of the provisions and stores which this fleet was to carry him, besides the

addition of strength this would bring him, in case the *Toulon* squadron should come about ; we were only apprehensive of danger from that squadron, for we thought that we could be in none at home, till that fleet was brought about ; the advertisements came from many places that some very important thing was ready to break out : it is true, the jacobites fed their party with such stories every year, but they both talked and wrote now with more than ordinary assurance. The king had been so accustomed to alarms and reports of this kind, that he had now so little regard to them as scarcely to be willing to hearken to those, who brought him such advertisements. He was so much set on preparing for the next campaign, that all other things were little considered by him.

But in the beginning of February, one captain Fisher came to the earl of Portland, and in general told him there was a design to assassinate the king ; but he would not, or could not then, name any of the persons who were concerned in it : he never appeared more, for he had assurances given him, that he should not be made use of as a witness. Few days after that, one Pendergrass, an Irish officer, came to the earl of Portland, and discovered all that he knew of the matter ; he freely told him his own name, but would not name any of the conspirators. *La Rue*, a Frenchman, came also to brigadier Levison, and discovered to him all that he knew ; these two (Pendergrass and *La Rue*) were brought to the king apart, not knowing of one another's discovery ; they gave an account of two plots then on foot, the one for assassinating the king, and the other for invading the kingdom. The king was not easily brought to give credit to this, till a variety of circumstances, in which the discoveries did agree, convinced him of the truth of the whole design.

It has been already told, in how many projects king James was engaged for assassinating the king ; but all these had failed : so now one was laid that gave better hopes, and looked more like a military action than a foul murder. Sir George Berkeley, a Scotchman, received a commission from king James, to go and attack the prince of Orange in his winter quarters ; Charnock, Sir William Perkins, Captain Porter, and *La Rue*, were the men to whose conduct the matter was trusted ; the duke of Berwick came over, and had some discourse with them about the method of executing it. Forty persons were thought necessary for the attempt ; they intended to watch the king as he should go out to hunt, or come back from it in his coach ; some of them were to engage the guards, while others should attack the king, and either carry him off a prisoner, or, in case of any resistance, kill him. This soft manner was proposed, to draw military men to act in it, as a warlike exploit ; Porter and Knightly went and viewed the grounds, and the way through which the king passed, as he went between *Kensington* and *Richmond* park, where he used to hunt commonly on Saturdays : and they pitched on two places, where they thought they might well execute the design. King James sent over some of his guards to assist in it ; he spoke himself to one Harris, to go over and to obey such orders as he should receive from Berkeley ; he ordered money to be given him, and told him that, if he was forced to stay long at *Calais*, the president there would have orders to furnish him\*.

When the duke of Berwick had laid the matter so well here, that he thought it could not miscarry, he went back to *France*, and met king James at *St. Denis*, who was come so far on his way from *Paris*. He stopped there, and after a long conference with the duke of Berwick, he sent him first to his queen at *St. Germain*, and then to the king of *France*, and he himself called for a notary, and passed some act ; but it was not known to what effect. When that was done, he pursued his journey to *Calais* to set himself at the head of an army of about 20,000 men, that were drawn out of the garrisons which lay near that frontier. These being full in that season, an army was in a very few days brought together, without any previous warning or noise. There came every winter a coasting fleet from all the sea-ports of *France* to *Dunkirk*, with all the provisions for a campaign ; and it was given out that the *French* intended an early one this year. So that this coasting fleet was ordered to be there by the end of January ; thus here were transport-ships, as well as an army, brought together in a very silent manner ; there was also a small fleet of *cruizers*, and some men of war ready to convoy them over ; many regiments were embarked, and king James

\* For full particulars, see *Blackmore's "History of the Assassination Plot."*

was waiting at Calais for some tidings of that on which he chiefly depended ; for upon the first notice of the success of the assassination, he was resolved to have set sail : so near was the matter brought to a crisis, when it broke out by the discovery made by the persons above named. La Rue told all particulars with the greatest frankness, and named all the persons that they had intended to engage in the execution of it ; for several lists were among them, and those who concerted the matter had those lists given them, and took it for granted that every man named in those lists was engaged ; since they were persons on whom they depended, as knowing their inclinations, and believing that they would readily enter into the project, though it had not been at that time proposed to many of them, as it appeared afterwards. The design was laid to strike the blow on the 15th of February, in a lane that turns down from Turnham Green to Brentford ; and the conspirators were to be scattered about the green, in taverns and alehouses, and to be brought together upon a signal given. They were cast into several parties, and an aid-de-camp was assigned to every one of them, both to bring them together, and to give the whole the air of a military action : Pendergrass owned very freely to the king, that he was engaged in interest against him, as he was of a religion contrary to his. He said he would have no reward for his discovery ; but he hated a base action ; and the point of honour was the only motive that prevailed on him : he owned that he was desired to assist in seizing on him, and he named the person that was fixed on to shoot him ; he abhorred the whole thing, and immediately came to reveal it. His story did in all particulars agree with La Rue's ; for some time he stood on it, as a point of honour, to name no person ; but upon assurance given him that he should not be brought as a witness against them, he named all he knew. The king ordered the coaches and guards to be made ready next morning, being the 15th of February, and a Saturday, his usual day of hunting ; but some accident was pretended to cover his not going abroad that day. The conspirators continued to meet together, not doubting but that they should have occasion to execute their design the next Saturday : they had some always about Kensington, who came and went continually, and brought them an account of every thing that passed there. On Saturday, the 22d of February, they put themselves in a readiness, and were going out to take the posts assigned them ; but were surprised, when they had notice that the king's hunting was put off a second time ; they apprehended they might be discovered, yet as none were seized, they soon quieted themselves.

Next night, a great many of them were taken in their beds ; and the day following the whole discovery was laid before the privy council. At the same time, advices were sent to the king from Flanders, that the French army was marching to Dunkirk, on design to invade England. And now, by a very happy providence, though hitherto a very unacceptable one, we had a great fleet at Spithead ready to sail ; and we had another fleet, designed for the summer's service in our own seas, quite ready, though not yet manned. Many brave seamen, seeing the nation was in such visible danger, came out of their lurking holes, in which they were hiding themselves from the press, and offered their service ; and all people showed so much zeal, that in three days Russel, who was sent to command, stood over to the coast of France with a fleet of above fifty men of war. The French were amazed at this ; and upon it their ships drew so near their coasts, that he durst not follow them in such shallow water, but was contented with breaking their design, and driving them into their harbours. King James stayed for some weeks there ; but, as the French said, his malignant star still blasted every project that was formed for his service.

The court of France was much out of countenance with this disappointment ; for that king had ordered his design of invading England to be communicated to all the courts in which he had ministers : and they spoke of it with such an air of assurance, as gave violent presumptions that the king of France knew of the conspiracy against the king's person, and depended upon it ; for indeed, without that, the design was impracticable, considering how great a fleet we had at Spithead. Nor could any men of common sense have entertained a thought of it, but with a view of the confusion into which the intended assassination must have cast us. They went on in England seizing the conspirators ; and a proclamation was issued out, for apprehending those that absconded, with a promise of a thousand pounds reward to such as should seize on any of them, and the offer of a pardon to every conspirator that should seize on any of the rest. This set all people at work, and in a few weeks most

of them were apprehended ; only Berkeley was not found, who had brought the commission from king James, though great search was made for him. For, though the reality of such a commission was fully proved afterwards, in the trials of the conspirators, by the evidence of those who had seen and read it all written in king James's own hand (such a paper being too important to be trusted to any to copy), yet much pains was taken to have found the very person who was entrusted with it : the commission itself would have been a valuable piece, and such an original as was not to be found any where.

The military men would not engage on other terms : they thought, by the laws of war, they were bound to obey all orders that run in a military style, and no other ; and so they imagined that their part in it was as innocent as the going on any desperate design during a campaign. Many of them repined at the service, and wished that it had not been put on them ; but, being commanded, they fancied that they were liable to no blame nor infamy, but ought to be treated as prisoners of war.

Among those who were taken, Porter and Pendergrass were brought in. Porter had been a vicious man, engaged in many ill things ; and was very forward and furious in all their consultations. The lord Cutts, who, as captain of the guards, was present when the king examined Pendergrass, but did not know his name, when he saw him brought in pressed him to own himself and the service that he had already done ; but he claimed the promise of not being forced to be a witness, and would say nothing. Porter was a man of pleasure, who loved not the hardships of a prison, and much less the solemnities of an execution ; so he confessed all : and then Pendergrass, who had his dependence on him, freely confessed likewise. He said, Porter was the man who had trusted him ; he could not be an instrument to destroy him ; yet he lay under no obligations to any others among them. Porter had been in the management of the whole matter ; so he gave a very copious account of it all, from the first beginning. And now it appeared, that Pendergrass had been but a very few days among them, and had seen very few of them ; and that he came and discovered the conspiracy the next day after it was opened to him.

When by these examinations the matter was clear and undeniable, the king communicated it in a speech to both houses of parliament. They immediately made addresses of congratulation, with assurances of adhering to him against all his enemies, and in particular against king James ; and after that, motions were made in both houses for an association, wherein they should own him as their rightful and lawful king, and promise faithfully to adhere to him against king James, and the pretended prince of Wales ; engaging at the same time to maintain the act of succession, and to revenge his death on all who should be concerned in it. This was much opposed in both houses, chiefly by Seymour and Finch in the house of commons, and the earl of Nottingham in the house of lords. They went chiefly upon this, that "rightful and lawful" were words that had been laid aside in the beginning of this reign ; that they imported one that was king by descent, and so could not belong to the present king. They said the crown and the prerogative of it were vested in him, and therefore they would obey him, and be faithful to him, though they could not acknowledge him their rightful and lawful king. Great exceptions were also taken to the word "revenge," as not of an evangelical sound ; but that word was so explained, that these were soon cleared : revenge was to be meant in a legal sense, either in the prosecution of justice at home, or of war abroad ; and the same word had been used in that association, into which the nation entered, when it was apprehended that queen Elizabeth's life was in danger by the practices of the queen of Scots. After a warm debate, it was carried in both houses, that an association should be laid on the table, and that it might be signed by all such as were willing of their own accord to sign it ; only with this difference, that instead of the words "rightful and lawful king," the lords put these words, "That king William hath the right by law to the crown of these realms ; and that neither king James, nor the pretended prince of Wales, nor any other person, has any right whatsoever to the same." This was done to satisfy those, who said they could not come up to the words "rightful and lawful :" and the earl of Rochester offering these words, they were thought to answer the ends of the association, and so were agreed to. This was signed by both houses, excepting only fourscore in the house of commons, and fifteen in the house of lords. The association was carried from the houses of parliament over all England, and was signed by all sorts of people, a very few only excepted :

The bishops also drew a form for the clergy, according to that signed by the house of lords, with some small variation, which was so universally signed, that not above an hundred all England over refused it.

Soon after this, a bill was brought into the house of commons, declaring all men incapable of public trust, or to serve in parliament, who did not sign the association. This passed with no considerable opposition; for those who had signed it of their own accord, were not unwilling to have it made general; and such as had refused it when it was voluntary, were resolved to sign it as soon as the law should be made for it. And at the same time, an order passed in council, for reviewing all the commissions in England, and for turning out of them all those who had not signed the association, while it was voluntary; since this seemed to be such a declaration of their principles and affections, that it was not thought reasonable that such persons should be any longer either justices of peace, or deputy lieutenants.

The session of parliament was soon brought to a conclusion. They created one fund, upon which two millions and a half were to be raised, which the best judges did apprehend was neither just nor prudent. A new bank was proposed, called the Land Bank, because the securities were to be upon land: this was the main difference between it and the Bank of England; and by reason of this, it was pretended, that it was not contrary to a clause in the act for that bank, that no other bank should be set up in opposition to it. There was a set of undertakers, who engaged that it should prove effectual, for the money for which it was given. This was chiefly managed by Foley, Harley, and the tories: it was much laboured by the earl of Sunderland; and the king was prevailed on to consent to it, or rather to desire it, though he was then told by many, of what ill consequence it would prove to his affairs. The earl of Sunderland's excuse for himself, when the error appeared afterwards but too evidently, was, that he thought it would engage the tories in interest to support the government\*.

After most of the conspirators were taken, and all examinations were over, some of them were brought to their trials. Charnock, King, and Keys, were begun with: the design was fully proved against them. Charnock showed great presence of mind, with temper, and good judgment, and made as good a defence as the matter could bear; but the proof was so full, that they were all found guilty. Endeavours were used to persuade Charnock to confess all he knew, for he had been in all their plots from the beginning. His brother was employed to deal with him, and he seemed to be once in suspense; but the next time that his brother came to him, he told him, he could not save his own life without doing that which would take away the lives of so many, that he did not think his own life worth it. This showed a greatness of mind that had been very valuable, if it had been better directed. Thus this matter was understood at the time; but many years after this, the lord Somers gave me a different account of it. Charnock, as he told me, sent an offer to the king, of a full discovery of all their consultations and designs; and desired no pardon, but only that he might live in some easy prison; and if he was found to prevaricate, in any part of his discovery, he would look for the execution of the sentence. But the king apprehended, that so many persons would be found concerned, and thereby be rendered desperate, that he was afraid to have such a scene opened, and would not accept of this offer. At his death, Charnock delivered a paper, in which he confessed he was engaged in a design to attack the prince of Orange's guards: but he thought himself bound to clear king James from having given any commission to assassinate him. King's paper, who suffered with him, was to the same purpose; and they both took pains to clear all those of their religion from any accession to it. King expressed a sense of the unlawfulness of the undertaking, but Charnock seemed fully satisfied with the lawfulness of it. Keys was a poor ignorant trumpeter, who had his dependence on Porter, and now suffered chiefly upon his evidence, for which he was

\* The scheme of a Land Bank was suggested by Dr. Hugh Chamberlain, and was patronised by the tories, or landed interest, because they thought it would embarrass the whigs, and their monied supporters, the bank of England, &c. The new bank proposed to advance 2,000,000*l.* for the service of government, for which seven per cent. was to be paid, and the privilege granted them of lending a certain sum annually on landed securities. It was sanctioned by an act of parliament, but when the day of payment came, the projectors failed to fulfil their engagements, and the scheme proved entirely abortive.—Shrewsbury Correspondence.

much reflected on. It was said that servants had often been witnesses against their masters, but that a master's witnessing against his servant was somewhat new and extraordinary.

The way that Charnock and King took to vindicate king James did rather fasten the imputation more upon him: they did not deny that he had sent over a commission to attack the prince of Orange, which, as Porter depos'd, Charnock told him he had seen. If this had been denied by a dying man his last words would have been of some weight; but instead of denying that which was sworn, he only denied that king James had given a commission for assassination; and it seems great weight was laid on this word, for all the conspirators agreed in it, and denied that king James had given a commission to assassinate the prince of Orange. This was an odious word, and perhaps no person was ever so wicked as to order such a thing in so crude a manner; but the sending a commission to attack the king's person was the same thing upon the matter, and was all that the witnesses had depos'd; therefore their not denying this, in the terms in which the witnesses swore it, did plainly imply a confession that it was true. But some who had a mind to deceive themselves or others, laid hold on this and made great use of it, that dying men had acquitted king James of the assassination. Such slight colours will serve, when people are engaged beforehand to believe as their affections lead them.

Sir John Friend and sir William Perkins were tried next. The first of these had risen from mean beginnings to great credit and much wealth: he was employed by king James, and had all this while stuck firm to his interests: his purse was more considered than his head, and was open on all occasions, as the party applied to him. While Parker was formerly in the Tower, upon information of an assassination of the king designed by him, he furnished the money that corrupted his keepers, and helped him to make his escape out of the Tower: he knew of the assassination, though he was not to be an actor in it; but he had a commission for raising a regiment for king James, and he had entertained and paid the officers who were to serve under him: he had also joind with those who had sent over Charnock, in May 1695, with the message to king James mentioned in the account of the former year; it appearing now, that they had then desired an invasion with eight thousand foot and one thousand horse, and had promised to join these with two thousand horse upon their landing. In this the earl of Aylesbury, the lord Montgomery, son to the marquis of Powys, and sir John Fenwick, were also concerned. Upon all this evidence Friend was condemned, and the earl of Aylesbury was committed prisoner to the Tower. Perkins was a gentleman of estate, who had gone violently into the passions and interests of the court in king Charles's time: he was one of the six clerks in chancery, and took all oaths to the government rather than lose his place. He did not only consent to the design of assassination, but undertook to bring five men who should assist in it, and he had brought up horses for that service from the country, but had not named the persons, so this lay yet in his own breast. He himself was not to have acted in it, for he likewise had a commission for a regiment; and therefore was to reserve himself for that service: he had also provided a stock of arms which were hid under ground, and were now discovered: upon this evidence he was condemned. Great endeavours were used both with Friend and him to confess all they knew. Friend was more sullen, as he knew less; for he was only applied to and trusted, when they needed his money. Perkins fluctuated more; he confessed the whole thing for which he was condemned, but would not name the five persons whom he was to have sent in to assist in the assassination. He said he had engaged them in it, so he could not think of saving his own life by destroying theirs. He confessed he had seen king James's commission; the words differed a little from those which Porter had told, but Porter did not swear that he saw it himself, he only related what Charnock had told him concerning it, yet Perkins said they were to the same effect: he believed it was all written with king James's own hand; he had seen his writing often, and was confident it was written by him: he owned that he had raised and maintained a regiment, but he thought he could not swear against his officers, since he himself had drawn them into the service; and he affirmed that he knew nothing of the other regiments. He sent for the bishop of Ely, to whom he repeated all these particulars, as the bishop himself told me: he seemed much troubled with a sense of his former life, which had been very irregular. The

house of commons sent some to examine him, but he gave them so little satisfaction that they left him to the course of the law. His tenderness in not accusing those whom he had drawn in, was so generous, that this alone served to create some regard for a man who had been long under a very bad character. In the beginning of April, Friend and he were executed together.

A very unusual instance of the boldness of the jacobites appeared upon that occasion : these two had not changed their religion, but still called themselves protestants ; so three of the nonjuring clergymen waited on them to Tyburn, two of them had been often with Friend, and one of them with Perkins : and all the three at the place of execution joined to give them public absolution, with an imposition of hands, in the view of all the people ; a strain of impudence that was as new as it was wicked, since these persons died owning the ill designs they had been engaged in, and expressing no sort of repentance for them. So these clergymen, in this solemn absolution, made an open declaration of their allowing and justifying these persons in all they had been concerned in : two of these were taken, and censured for this in the king's bench, the third made his escape.

Three other conspirators, Rookwood, Lowick, and Cranborn, were tried next. By this time the new act for trials in such cases began to take place, so these held long, for their counsel stuck upon every thing : but the evidence was now more copious, for three other witnesses came in, the government being so gentle as to pardon even the conspirators who confessed their guilt, and were willing to be witnesses against others. The first two were papists, they expressed their dislike of the design, but insisted on this, that as military men they were bound to obey all military orders ; and they thought that the king, who knew the laws of war, ought to have a regard to this, and to forgive them. Cranborn called himself a protestant, but was more sullen than the other two ; to such a degree of fury and perverseness had the jacobites wrought up their party. Knightly was tried next : he confessed all, and upon that, though he was condemned, he had a reprieve and was afterwards pardoned. These were all the trials and executions that even this black conspiracy drew from the government ; for the king's inclinations were so merciful, that he seemed uneasy even under these acts of necessary justice.

Cook was brought next upon his trial on account of the intended invasion, for he was not charged with the assassination : his trial was considered as introductory to the earl of Aylesbury's, for the evidence was the same as to both. Porter and Goodman were two witnesses against him : they had been with him at a meeting, in a tavern in Leadenhall-street, where Charnock received instructions to go to France with the message formerly mentioned. All that was brought against this was, that the master of the tavern and two of his servants swore, that they remembered well when that company was at the tavern, for they were often coming into the room where they sat, both at dinner time and after it, and that they saw not Goodman there ; nay, they were positive that he was not there. On the other hand, Porter deposed that Goodman was not with them at dinner, but that he came to that house after dinner, and sent him in a note, upon which he, with the consent of the company, went out and brought him in ; and then it was certain that the servants of the house were not in that constant attendance, nor could they be believed in a negative against positive evidence to the contrary. Their credit was not such but that it might be well supposed, that, for the interest of their house, they might be induced to make stretches. The evidence was believed, and Cook was found guilty, and condemned : he obtained many short reprieves upon assurances that he would tell all he knew ; but it was visible he did not deal sincerely ; his punishment ended in banishment. Sir John Fenwick was taken not long after, going over to France, and was ordered to prepare for his trial, upon which he seemed willing to discover all he knew ; and in this he went off and on, for he had no mind to die, and hoped to save himself by some practice or other. Several days were set for his trial, and he procured new delays by making some new discoveries. At last, when he saw that slight and general ones would not serve his turn, he sent for the duke of Devonshire, and wrote a paper as a discovery, which he gave him to be sent to the king ; and that duke affirming to the lords justices that it was not fit that paper should be seen by any before the king saw it, the matter was suffered to rest for this time \*.

\* The chief of these prosecutions are in the 'State Trials.'

The summer went over, both in Flanders and on the Rhine, without any action. All the funds given for this year's service proved defective, but that of the Land bank failed totally, and the credit of the bank of England was much shaken. About five millions of clipt money was brought into the exchequer; and the loss that the nation suffered by the recoinage of the money, amounted to two millions and two hundred thousand pounds. The coinage was carried on with all possible haste; about eighty thousand pounds was coined every week; yet still this was slow, and the new money was generally kept up, so that for several months little of it appeared. This stop in the free circulation of money put the nation into great disorder. Those who, according to the act of parliament, were to have the first payments in milled money, for the loans they had made, kept their specie up, and would not let it go but at an unreasonable advantage. The king had no money to pay his army, so they were in great distress, which they bore with wonderful patience. By this means the king could undertake nothing, and was forced to lie on the defensive; nor were the French strong enough to make an impression in any place. The king had a mighty army, and was much superior to the enemy, yet he could do nothing; and it passed for a happy campaign because the French were not able to take any advantage from those ill accidents that our want of specie brought us under, which indeed were such, that nothing but the sense all had of the late conspiracy, kept us quiet and free from tumults. It now appeared what a strange error the king was led into, when he accepted of so great a sum to be raised by a Land bank. It was scarcely honourable, and not very safe at any time; but it might have proved fatal at a time in which money was likely to be much wanted, which want would have been less felt if paper credit had been kept up: but one bank working against another, and the goldsmiths against both, put us to great straits; yet the bank supplied the king in this extremity, and thereby convinced him that they were his friends in affection as well as interest\*.

The secret practices in Italy were now ready to break out. The pope and the Venetians had a mind to send the Germans out of Italy, and to take the duke of Savoy out of the necessity of depending on those they called heretics. The management in the business of Casal looked so dark, that the lord Galway, who was the king's general and envoy there, did apprehend there was something mysterious under it. One step more remained, to settle the peace there; for the duke of Savoy would not own that he was in any negotiation, till he should have received the advances of money that were promised him from England and Holland, for he was much set on the heaping of treasure, even during the war, to which end he had debased his coin so, that it was not above a sixth part in intrinsic value of what it passed for. He was always beset with his priests, who were perpetually complaining of the progress that heresy was like to make in his dominions. He had indeed granted a very full edict in favour of the Vaudois, restoring their former liberties and privileges to them, which the lord Galway took care to have put in the most emphatical words, and passed with all the formalities of law, to make it as effectual as laws and promises can be; yet every step that was made in that affair went against the grain, and was extorted from him by the intercession of the king and the States, and by the lord Galway's zeal.

\* The following contemporary song was published in "Poems on Affairs of State," vol. ii.—ed. 1703.

1.

Good people, what will you of all be bereft?  
Will you never learn wit while a penny is left?  
You are all, like the dog in the fable, betray'd  
To let go the substance and snatch at the shade;  
Your specious pretences, and foreign expenses,  
We war with religion, and waste all our chink,  
'Tis nipt and 'tis clipt, 'tis lent and 'tis spent,  
Till 'tis gone, till 'tis gone to the devil I think.

2.

We pay for our new-born, we pay for our dead,  
We pay if we're single, we pay if we're wed;

To show that our merciful senate don't fail  
To begin at the *head*, and tax down to the *tail*.  
We pay through the nose by subjecting foes,  
Yet for all our expenses get nothing but blows;  
At home we are cheated, abroad we're defeated,  
But the end on't, the end on't, the Lord above knows.

3.

We parted with *all our old money*, to shew  
We foolishly hoped for a plenty of new;  
But might have remember'd, when we came to the push,  
That a bird in the hand is worth two in the bush.  
We now, like poor wretches, are kept under hatches,  
At rack, and at manger, like beasts in the ark,  
Since our burghesses and knights make us pay for our *lights*<sup>a</sup>;  
Why should we, why should we be kept in the dark?

<sup>a</sup> Alluding to the window tax.

In conclusion, the French were grown so weary of that war, and found the charge of it so heavy, that they offered not only to restore all that had been taken, but to demolish Pignerol, and to pay the duke some millions of crowns; and to complete the whole, that the duke of Burgundy should marry his daughter. To this he consented; but to cover this defection from his allies, it was further agreed that Catinat should draw his army together before the duke could bring his to make head against him; and that he should be ordered to attempt the bombardment of Turin, that so the duke might seem to be forced by the extremity of his affairs to take such conditions as were offered him. He had a mind to have cast the blame on his allies, but they had assisted him more effectually at this time than on other occasions. A truce was first made, and that, after a few months, was turned into an entire peace; one article whereof was, that the Milanese should have a neutrality granted them in case the German forces were sent out of Italy. All the Italian princes and states concurred in this, to get rid of the Germans as soon as was possible; so the duke of Savoy promised to join with the French to drive them out. Valence was the first place that the duke of Savoy attacked; there was a good garrison in it, and it was better provided than the places of the Spaniards generally were. It was not much pressed, and the siege held some weeks, many dying in it. At last the courts of Vienna and Madrid accepted of the neutrality, and engaged to draw the Germans out of these parts upon an advance of money, which the princes of Italy were glad to pay to be delivered of such troublesome guests.

Thus ended the war in Piedmont, after it had lasted six years. Pignerol was demolished; but the French, by the treaty, might build another fort at Fenestrella, which is in the middle of the hills; and so it will not be so important as Pignerol was, though it may prove an uneasy neighbour to the duke of Savoy. His daughter was received in France as duchess of Burgundy, though not yet of the age of consent, for she was but ten years old.

Nothing of consequence passed in Catalonia: the French went no further than Gironne, and the Spaniards gave them no disturbance. Both the king and queen of Spain were at this time so ill, that, as is usual upon such occasions, it was suspected they were both poisoned. The king of Spain relapsed often, and at last remained in that low state of health, in which he seemed to be always rather dying than living. The court of France were glad of his recovery; for they were not then in a condition to undertake such a war as the dauphin's pretensions must have engaged them in.

In Hungary the Turks advanced again towards Transylvania, where the duke of Saxony commanded the imperial army. The Turks did attack them, and they defended themselves so well, that though they were beat, yet it cost the Turks so dear, that the grand seignior could undertake nothing afterwards. The imperialists lost about five thousand men; but the Turks lost above twice that number, and the grand seignior went back with an empty triumph as he did the former year. But another action happened, in a very remote place, which may come to be of a very great consequence to him. The Muscovites, after they had been for some years under the divided monarchy of two brothers, or rather of a sister, who governed all in their name, by the death of one of these came now under one czar: he entered into an alliance with the emperor against the Turks; and Azuph, which was reckoned a strong place, that commanded the mouth of the Tanais, or Don, where it falls into the Meotis-palus, after a long siege was taken by his army. This opened the Euxine sea to him, so that if he be furnished with men skilled in the building and sailing of ships, this may have consequences that may very much distress Constantinople, and be in the end fatal to that empire. The king of Denmark's health was now on a decline, upon which the duke of Holstein was taking advantage, and new disputes were like to arise there.

Our affairs at sea went well with relation to trade: all our merchant fleets came happily home; we made no considerable losses; on the contrary, we took many of the French privateers; they now gained little in that way of war, which in some of the former years had been very advantageous to them. Upon the breaking out of the conspiracy, orders were sent to Cadiz for bringing home our fleet; the Spaniards murmured at this, though it was reasonable for us to take care of ourselves in the first place. Upon that the French fleet

was also ordered to come about : they met with rough weather, and were long in the passage ; so that if we had sent a squadron before Brest, we had probably made some considerable advantage ; but the fleet was so divided, that faction appeared in every order and in every motion ; nor did the king study enough to remedy this, but rather kept it up, and seemed to think that was the way to please both parties ; but he found afterwards, that by all his management with the tories he disgusted those who were affectionate and zealous for him, and that the tories had too deep an alienation from him to be overcome with good usage. Their submissions however to him gained their end, which was to provoke the whigs to be peevish and uneasy. Our fleet sailed towards the isle of Rhee, with some bomb vessels : some small islands were burnt and plundered, as St. Martin's was bombarded : the loss the French made was not considerable in itself, but it put their affairs in great distraction, and the charge they were at in defending their coast, was much greater than ours in attacking it. This was the state of affairs in England and abroad during the summer.

Scotland was falling into great misery by reason of two successive bad harvests, which exhausted that nation and drove away many of their people ; the greatest number went over to Ireland. A parliament was held at Edinburgh, and in a very thin house every thing that was asked was granted. They were in a miserable condition, for two such bad years lay extremely heavy on them.

This summer the French were making steps towards a peace : the court was very uneasy under so long and so destructive a war : the country was exhausted, they had neither men nor money ; their trade was sunk to nothing, and public credit was lost. The creation of new offices, which always was considered as a resource never to be exhausted, did not work as formerly ; few buyers or undertakers appeared. That king's health was thought declining ; he affected secrecy and retirement ; so that both the temper of his mind and the state of his affairs disposed him to desire a peace. One Callieres was sent to make propositions to the States, as D'Avaux was pressing the king of Sweden to offer his mediation : the States would hearken to no proposition till two preliminaries were agreed to ; the first was, that all things should be brought back to the state in which they were put by the treaties of Munster and Nimeguen. This imported not only the restoring Mons and Charleroy, but likewise Strasburg and Luxemburg, and that, in the state which they were in at present. The other preliminary was, that France should own the king whensoever the peace should be concluded. The emperor, who designed to keep off any negotiation as much as possible, moved that this should be done before the treaty was opened ; but the king thought the other was sufficient, and would not suffer the peace to be obstructed by a thing that might seem personal to himself. To all this the court of France, after some delays, consented ; but that spirit of chicane and injustice that had reigned so long in that court, did still appear in every step that was made, for they made use of equivocal terms in every paper that was offered in their name. The States had felt the effects of these in their former treaties too sensibly not to be now on their guard against them. The French still returned to them, and when some points seemed to be quite settled new difficulties were still thrown in. It was proposed by the French that the popish religion must continue still at Strasburg, that the king of France could not in conscience yield that point. It was also pretended that Luxemburg was to be restored in the same state in which it was when the French took it. These variations did almost break off the negotiation, but the French would not let it fall, and yielded them up again ; so it was visible all this was only an amusement and an artifice, by this shew of peace, to get the parliament of England to declare for it ; since as a trading nation must grow weary of war, so the party they had among us would join in with the inclination that was now become general, to promote the peace ; for though our affairs were in all respects, except that of the coin, in so good a condition that we felt ourselves grow richer by the war, yet during each campaign we ran a greater risk than our enemies did ; for all our preservation hung on the single thread of the king's life, and on that prospect the party that wrought against the government had great hopes, and acted with much spirit during the war, which we had reason to think must sink with a peace.

The parliament met in November ; and at the opening of the session, the king in his speech to the two houses, acquainted them with the overtures that were made towards a

peace ; but added, that the best way to obtain a good one, was to be in a posture for carrying on the war. The great difficulty was to find a way to restore credit : there was a great arrear due ; all funds had proved deficient, and the total failing of the Land bank had brought a great confusion on all payments : the arrears were put upon the funds of the revenue, which had been granted for a term of but five years, and that was now ending ; so a new continuance of those revenues was granted, and they were put under the management of the bank of England, which, upon that security, undertook the payment of them all. It was long before all this was fully settled : the bank was not willing to engage in it, yet at last it was agreed, and the bank quickly recovered its credit so entirely, that there was no discount upon the notes. The arrear amounted to ten millions, and five millions more were to be raised for the charge of the following year ; so that one session was to secure fifteen millions, a sum never before thought possible to be provided for in any one session. There was not specie enough for giving that quick circulation which is necessary for trade ; so to remedy that, the treasury was empowered to give out notes to the value of almost three millions, which were to circulate as a species of money, and to be received in taxes, and were to sink gradually, as the money should arise out of the fund that was created to answer them ; by these methods all the demands, both for arrears and for the following year, were answered. The commons sent a bill to the lords, limiting elections to future parliaments, that none should be chosen but those who had such a proportion of estate or money : the lords rejected it : they thought it reasonable to leave the nation to their freedom in choosing their representatives in parliament. It seemed both unjust and cruel, that if a poor man had so fair a reputation as to be chosen, notwithstanding his poverty, by those who were willing to pay him wages, that he should be branded with an incapacity because of his small estate. Corruption in elections was to be apprehended from the rich rather than from the poor. Another bill was sent up by the commons, but rejected by the lords, prohibiting the importation of all East India silks and Bengals. This was proposed to encourage the silk manufacture at home, and petitions were brought for it by great multitudes, in a very tumultuary way ; but the lords had no regard to that.

The great business of this session that held longest in both houses, was a bill relating to sir John Fenwick. The thing was of so particular a nature that it deserves to be related in a special manner ; and the great share that I bore in the debate when it was in the house of lords, makes it more necessary for me copiously to enlarge upon it ; for it may at first view seem very liable to exception, that a man of my profession should enter so far into a debate of that nature. Fenwick, when he was first taken, wrote a letter to his lady, setting forth his misfortune, and giving himself for dead unless powerful applications could be made for him, or that some of the jury could be hired to starve out the rest ; and to that he added, "This, or nothing, can save my life." This letter was taken from the person to whom he had given it. At his first examination before the lords justices, he denied every thing, till he was shewed this letter, and then he was confounded. In his private treaty with the duke of Devonshire, he desired an assurance of life upon his promise to tell all he knew ; but the king refused that, and would have it left to himself to judge of the truth and the importance of the discoveries he should make : so he, resolving to cast himself on the king's mercy, sent him a paper, in which after a bare account of the consultations among the jacobites (in which he took care to charge none of his own party) he said that king James and those who were employed by him, had assured them, that both the earls of Shrewsbury and Marlborough, the lord Godolphin and admiral Russel, were reconciled to him, and were now in his interests and acting for him\*. This was a discovery that could signify

\* The magnanimous conduct of the king upon this occasion is fully related in the "Shrewsbury Correspondence." He inclosed the calumniating paper to the duke of Shrewsbury, adding, "you are, I trust, too fully convinced of the entire confidence I place in you, to imagine that such an accusation has made any impression on me ; if it had I should not have sent you this paper. You will observe the sincerity of this honest man, who only accuses those in my service, and not one of his own party."

The innocence of the duke was fully proved, and it is further shewn by the letter he wrote to the king upon the first information of sir John Fenwick's capture, and before he had brought charges against the duke. In this letter he expresses his conviction that, by proper management, sir John might be brought to give important information. This was not the conduct of a man conscious of his own guilt.

nothing but to give the king a jealousy of those persons ; for he did not offer the least shadow or circumstance, either of proof or of presumption, to support this accusation. The king not being satisfied herewith, sent an order for bringing him to a trial, unless he made fuller discoveries : he desired to be further examined by the lords justices, to whom he, being upon oath, told some more particulars ; but he took care to name none of his own side but those against whom evidence was already brought, or who were safe and beyond sea ; some few others he named, who were in matters of less consequence that did not amount to high treason ; he owned a thread of negotiations, that had passed between them and king James, or the court of France ; he said the earl of Aylesbury had gone over to France, and had been admitted to a private audience of the French king, where he had proposed the sending over an army of thirty thousand men, and had undertaken that a great body of gentlemen and horses should be brought to join them. It appeared by his discoveries, that the jacobites in England were much divided : some were called compounders, and others noncompounders. The first sort desired securities from king James for the preservation of the religion and liberties of England ; whereas the second sort were for trusting him upon discretion without asking any terms, putting all in his power, and relying entirely on his honour and generosity. These seemed indeed to act more suitably to the great principle upon which they all insisted, that kings have their power from God, and are accountable only to him for the exercise of it. Dr. Lloyd, the deprived bishop of Norwich, was the only eminent clergyman that went into this ; and therefore all that party had, upon Sancroft's death, recommended him to king James to have his nomination for Canterbury.

Fenwick put all this in writing, upon assurance, that he should not be forced to witness any part of it. When that was sent to the king, all appearing to be so trifling, and no other proof being offered for any part of it, except his own word, which he had stipulated should not be made use of, his majesty sent an order to bring him to his trial ; but as the king was slow in sending this order, so the duke of Devonshire, who had been in the secret management of the matter, was for some time in the country : the lords justices delayed the matter till he came to town ; and then the king's coming was so near, that it was respite till he came over. By these delays, Fenwick gained his main design in them, which was to practise upon the witnesses.

His lady began with Porter ; he was offered, that if he would go beyond sea, he should have a good sum in hand, and an annuity secured to him for his life ; he hearkened so far to the proposition, that he drew those who were in treaty with him, together with the lady herself, who carried the sum that he was to receive, to a meeting, where he had provided witnesses, who should over-hear all that passed, and should, upon a signal, come in, and seize them with the money : which was done, and a prosecution upon it was ordered. The practice was fully proved, and the persons concerned in it were censured, and punished ; so Porter was no more to be dealt with. Goodman was the other witness : first they gathered matter to defame him, in which his wicked course of life furnished them very copiously ; but they trusted not to this method, and betook themselves to another, in which they prevailed more effectually ; they persuaded him to go out of England : and by this means, when the last orders were given for Fenwick's trial, there were not two witnesses against him ; so by the course of law, he must have been acquitted : the whole was upon this kept entire for the session of parliament. The king sent to the house of commons the two papers that Fenwick had sent him. Fenwick was brought before the house ; but he refused to give any farther account of the matter contained in them ; so they rejected them as false and scandalous, made only to create jealousies. And they ordered a bill of attainder to be brought against Fenwick, which met with great opposition in both houses, in every step that was made. The debates were the hottest, and held the longest, of any that I ever knew. The lords took a very extraordinary method to force all their absent members to come up ; they sent messengers for them to bring them up, which seemed to be a great breach on their dignity ; for the privilege of making a proxy was an undoubted right belonging to their peerage ; but those who intended to throw out the bill, resolved to have a full house. The bill set forth the artifices Fenwick had used to gain delays ; and the practice upon Porter, and Goodman's escape, the last having sworn treason against him at Cook's trial, and like-

wise to the grand jury, who had found the bill against him upon that evidence. So now Porter appearing, and giving his evidence against him, and the evidence that Goodman had given being proved, it was inferred that he was guilty of high treason, and that therefore he ought to be attainted.

The substance of the arguments brought against this way of proceeding, was, that the law was all men's security, as well as it ought to be their rule: if this was once broke through, no man was safe; men would be presumed guilty without legal proofs, and be run down, and destroyed by a torrent: two witnesses seemed necessary, by an indisputable law of justice, to prove a man guilty; the law of God, given to Moses, as well as the law of England, made this necessary; and, besides all former ones, the law lately made for trials in cases of treason, was such a sacred one, that it was to be hoped that even a parliament would not make a breach upon it. A written deposition was no evidence, because the person accused could not have the benefit of cross interrogating the witness, by which much false swearing was often detected: nor could the evidence given in one trial be brought against a man who was not a party in that trial: the evidence that was offered to a grand jury was to be examined all over again at the trial; till that was done, it was not evidence. It did not appear that Fenwick himself was concerned in the practice upon Porter; what his lady did could not be charged on him; no evidence was brought that Goodman was practised on; so his withdrawing himself could not be charged on Fenwick. Some very black things were proved against Goodman, which would be strong to set aside his testimony, though he were present; and that proof, which had been brought in Cook's trial against Porter's evidence, was again made use of, to prove that as he was the single witness, so he was a doubtful and suspected one: nor was it proper that a bill of this nature should begin in the house of commons, which could not take examinations upon oath. This was the substance of the arguments that were urged against the bill.

On the other hand it was said, in behalf of the bill, that the nature of government required that the legislature should be recurred to, in extraordinary cases, for which effectual provision could not be made by fixed and standing laws: our common law grew up out of the proceedings of the courts of law; afterwards, this, in cases of treason, was thought too loose: so the law in this point was limited, first by the famous statute in king Edward the Third's time, and then by the statute in king Edward the Sixth's time; the two witnesses were to be brought face to face with the person accused: and that the law, lately made, had brought the method of trials to a yet further certainty, yet in that, as well as in the statute of Edward III., parliamentary proceedings were still excepted; and indeed, though no such provision had been expressly made in the acts themselves, the nature of government puts always an exception in favour of the legislative authority. The legislature was indeed bound to observe justice and equity, as much, if not more, than the inferior courts; because the supreme court ought to set an example to all others; but they might see cause to pass over forms, as occasion should require; this was the more reasonable among us, because there was no nation in the world besides England, that had not recourse to torture, when the evidence was probable but defective; that was a mighty restraint, and struck a terror into all people; and the freest governments, both ancient and modern, thought they could not subsist without it. At present, the Venetians have their civil inquisitors, and the Grisons have their high courts of justice, which act without the forms of law, by the absolute trust that is reposed in them, such as the Romans reposed in dictators, in the time of their liberty. England had neither torture nor any unlimited magistrate in its constitution; and therefore, upon great emergencies, recourse must be had to the supreme legislature. Forms are necessary in subordinate courts, but there is no reason to tie up the supreme one by them: this method of attainder had been practised among us at all times; it is true what was done in this way at one time was often reversed at another; but that was the effect of the violence of the times, and was occasioned often by the injustice of those attainders; the judgments of the inferior courts were upon the like account often reversed; but when parliamentary attainders went upon good grounds, though without observing the forms of law, they were never blamed, not to say condemned. When poisoning was first practised in England, and put in a pot of porridge in the bishop of Rochester's house, this, which was only felony, was

by a special law made to be high treason ; and a new punishment was appointed by act of parliament ; the poisoner was boiled alive. When the nun of Kent pretended to visions, to oppose king Henry the Eighth's divorce, and his second marriage, and said, if he married again, he should not live long after it, but should die a villain's death ; this was judged in parliament to be high treason ; and she and her accomplices suffered accordingly. After that, there passed many attainders in that reign, only upon depositions, that were read in both houses of parliament : it is true these were much blamed, and there was great cause for it ; there were too many of them ; for this extreme way of proceeding is to be put in practice but seldom, and upon great occasions ; whereas many of these went upon slight grounds, such as the uttering some passionate and indecent words, or the using some embroidery in garments and coats of arms, with an ill intent. But that which was indeed execrable, was, that persons in prison were attainted, without being heard in their own defence ; this was so contrary to natural justice, that it could not be enough condemned. In king Edward the Sixth's time, the lord Seymour was attainted in the same manner, only with this difference, that the witnesses were brought to the bar, and there examined ; whereas, formerly, they proceeded upon some depositions that were read to them : at the duke of Somerset's trial, which was both for high treason and for felony, in which he was acquitted of the former, but found guilty of the latter, depositions were only read against him ; but the witnesses were not brought face to face, as he pressed they might be : upon which it was, that the following parliament enacted, that the accusers (that is the witnesses) should be examined face to face, if they were alive. In queen Elizabeth's time, the parliament went out of the method of law, in all the steps of their proceedings against the queen of Scots : it is true there were no parliamentary attainders in England during that long and glorious reign, upon which those who opposed the bill insisted much ; yet that was only, because there then was no occasion here in England for any such bill ; but in Ireland, where some things were notoriously true, which yet could not be legally proved, that government was forced to have, on many different occasions, recourse to this method. In king James the First's time, those who were concerned in the gunpowder plot, and chose to be killed, rather than taken, were by act of parliament attainted after their death ; which the courts of law could not do, since by our law, a man's crimes die with himself ; for this reason, because he cannot make his own defence, nor can his children do it for him. The famous attainer of the earl of Strafford, in king Charles the First's time, has been much and justly censured ; not so much because it passed by bill, as because of the injustice of it : he was accused for having said, upon the house of commons refusing to grant the subsidies, the king had asked, " That the king was absolved from all the rules of government, and might make use of force to subdue this kingdom." These words were proved only by one witness, all the rest of the council who were present, deposing, that they remembered no such words, and were positive, that the debate ran only upon the war with Scotland ; so that though " this kingdom," singly taken, must be meant of England, yet it might well be meant of " that kingdom," which was the subject then of the debate ; since then the words were capable of that favourable sense, and that both he who spoke them, and they who heard them, affirmed that they were meant and understood in that sense, it was a most pernicious precedent, first to take them in the most odious sense possible, and then to destroy him who said them, upon the testimony of one single, exceptionable witness ; whereas, if, upon the commons refusing to grant the king's demand, he had plainly advised the king to subdue his people by force, it is hard to tell what the parliament might not justly have done, or would not do again in the like case. In king Charles the Second's time, some of the most eminent of the regicides were attainted, after they were dead ; and in king James's time, the duke of Monmouth was attainted by bill : these last attainders had their first beginning in the house of commons. Thus it appeared, that these last two hundred years, not to mention much anciencer precedents, the nation had upon extraordinary occasions proceeded in this parliamentary way by bill. There were already many precedents of this method ; and whereas it was said, that an ill parliament might carry these too far, it is certain the nation, and every person in it, must be safe, when they are in their own hands, or in those of a representative chosen by themselves ; as, on the other hand, if that be ill chosen, there is no help for it ; the

nation must perish, for it is by their own fault ; they have already too many precedents for this way of proceeding, if they intend to make an ill use of them ; but a precedent is only a ground or warrant for the like proceeding, upon the like occasion.

Two rules were laid down for all bills of this nature ; first, that the matter be of a very extraordinary nature : lesser crimes had better be passed over than punished by the legislature. Of all the crimes that can be contrived against the nation, certainly the most heinous one is, that of bringing in a foreign force to conquer us ; this ruins both us and our posterity for ever : distractions at home, how fatal soever, even though they should end ever so tragically, as ours once did in the murder of the king, and in a military usurpation, yet were capable of a crisis and a cure. In the year 1660, we came again to our wits, and all was set right again ; whereas there is no prospect after a foreign conquest, but of slavery and misery ; and how black soever the assassinating the king must needs appear, yet a foreign conquest was worse, it was assassinating the kingdom ; and therefore the inviting and contriving that must be the blackest of crimes. But, as the importance of the matter ought to be equal to such an unusual way of proceeding, so the certainty of the facts ought to be such, that if the defects in legal proof are to be supplied, yet this ought to be done upon such grounds as make the fact charged appear so evidently true, that though a court of law could not proceed upon it, yet no man could raise in himself a doubt concerning it. Anciently, treason was judged, as felony still is, upon such presumptions as satisfied the jury ; the law has now limited this to two witnesses brought face to face ; but the parliament may still take that liberty which is denied to inferior courts, of judging this matter as an ordinary jury does in a case of felony. In the present case, there was one witness, *civâ roce*, upon whose testimony several persons had been condemned, and had suffered ; and these neither at their trial, nor at their death, disproved, or denied, any circumstance of his depositions. If he had been too much a libertine in the course of his life, that did not destroy his credit as a witness : in the first trial this might have made him a doubtful witness, but what had happened since had destroyed the possibility even of suspecting his evidence ; a party had been in interest concerned to enquire into his whole life, and in the present case had full time for it ; and every circumstance of his deposition had been examined, and yet nothing was discovered that could so much as create a doubt ; all was still untouched, sound and true. The only circumstance in which the dying speeches of those who suffered on his evidence, seemed to contradict him, was concerning king James's commission ; yet none of them denied really what Porter had deposed, which was, that Charnock told him, that there was a commission come from king James, for attacking the prince of Orange's guards : they only denied that there was a commission for assassinating him. Sir John Friend, and sir William Perkins, were condemned for the consultation now given in evidence against Fenwick : they died, not denying it ; on the contrary, they justified all they had done. It could not be supposed that, if there had been a tittle in the evidence that was false, they should both have been so far wanting to themselves, and to their friends, who were to be tried upon the same evidence, as not to have declared it in the solemnest manner : these things were more undeniably certain than the evidence of ten witnesses could possibly be. Witnesses might conspire to swear a falsehood ; but in this case, the circumstances took away the possibility of a doubt. And therefore the parliament, without taking any notice of Goodman's evidence, might well judge Fenwick guilty, for no man could doubt of it in his own mind.

The ancient Romans were very jealous of their liberty ; but how exact soever they might be in ordinary cases, yet when any of their citizens seemed to have a design of making himself king, they either created a dictator to suppress or destroy him, or else the people proceeded against him in a summary way. By the Portian law, no citizen could be put to death for any crime whatsoever ; yet such regard did the Romans pay to justice, even above law, that, when the Campanian legion had perfidiously broken in upon Rhegium, and pillaged it, they put them all to death for it. In the famous case of Catiline's conspiracy, as the evidence was clear, and the danger extreme, the accomplices in it were executed, notwithstanding the Portian law ; and this was done by the order of the senate, without either hearing them make their own defence, or admitting them to claim the right, which the Vale-

rian law gave them, of an appeal to the people. Yet that whole proceeding was chiefly directed by the two greatest asserters of public liberty that ever lived, Cato and Cicero; and Cæsar, who opposed it, on pretence of its being against the Portian law, was for that reason suspected of being in the conspiracy: it appeared afterwards, how little regard he had, either to law or liberty, though, upon this occasion, he made use of the one to protect those who were in a plot against the other. This expression was much resented by those who were against this bill, as carrying a bitter reflection upon them for opposing it.

In conclusion, the bill passed by a small majority of only seven in the house of lords; the royal assent was soon given to it. Fenwick then made all possible applications to the king for a reprieve; and as a main ground for that, and as an article of merit, related how he had saved the king's life, two years before, as was already told in the beginning of the year 1695. But as this fact could not be proved, so it could confer no obligation on the king, since he had given him no warning of his danger; and according to his own story, had trusted the conspirators' words very easily when they promised to pursue their design no farther, which he had no reason to do. So that this pretension was not much considered; but he was pressed to make a full discovery; and for some days he seemed to be in some suspense what course to take. He desired to be secured, that nothing which he confessed should turn to his own prejudice. The house of lords sent an address to the king, entreating that they might be at liberty to make him this promise; and that was readily granted. He then farther desired, that, upon his making a full confession, he might be assured of a pardon without being obliged to become a witness against any other person: to this the lords answered, that he had to do with men of honour, and that he must trust to their discretion; that they would mediate for him with the king, in proportion as they should find his discoveries sincere and important: his behaviour to the king hitherto had not been such as to induce the lords to trust to his candour; it was much more reasonable that he should trust to them. Upon this all hopes of any discoveries from him were laid aside: but a matter of another nature broke out, which, but for its singular circumstances, scarcely deserves to be mentioned.

There was one Smith, a nephew of sir William Perkins, who had for some time been in treaty at the duke of Shrewsbury's office, pretending that he could make great discoveries, and that he knew all the motions and designs of the jacobites: he sent many dark and ambiguous letters to that duke's under secretary, which were more properly to be called amusements than discoveries; for he only gave hints and scraps of stories; but he had got a promise not to be made a witness, and yet he never offered any other witness, nor told where any of those he informed against were lodged, or how they might be taken. He was always asking more money, and bragging what he could do, if he were well supplied, and he seemed to think he never had enough. Indeed, before the conspiracy broke out, he had given such hints, that when it was discovered, it appeared he must have known much more of it than he thought fit to tell. One letter he wrote, two days before it was intended to have been put in execution, shewed, he must have been let into the secret very far (if this was not an artifice to lay the court more asleep), for he said, that as things ripened and came near execution, he should certainly know them better. It was not improbable that he himself was one of the five, whom Perkins undertook to furnish, for assisting in the assassination; and that he hoped to have saved himself by this pretended discovery, in case the plot miscarried. The duke of Shrewsbury acquainted the king with his discoveries, but nothing could then be made either of them or of him. When the whole plot was unravelled, it then was manifest from his letters, that he must have known more of it than he would own: but he still claimed the promise before made him, that he should not be a witness. Upon the whole, therefore, he rather deserved a severe punishment than any of those rewards which he pretended to. He was accordingly dismissed by the duke of Shrewsbury, who thought that even this suspicious behaviour of his did not release him from keeping the promises he had made him. Smith, thereupon, went to the earl of Monmouth, and possessed him with bad impressions of the duke of Shrewsbury, and found him much inclined to entertain them; he told him that he had made great discoveries, of which that duke would take no notice; and because the duke's ill health had obliged him to go into the country

two days before the assassination was intended, he put this construction upon it, that he was willing to be out of the way when the king was to be murdered. To fix this imputation, he shewed him the copies of all his letters, all of which, but the last more especially, had the face of a great discovery. The lord Monmouth carried this to court, and it made such an impression there, that the earl of Portland sent Smith money, and entertained him as a spy, but never could by his means learn any one real piece of intelligence. When this happened, the king was just going beyond sea; so Smith's letters were taken, and sealed up by the king's order, and left in the hands of sir William Trumball, who was the other secretary of state. This matter lay quiet till Fenwick began to make discoveries: and when lord Monmouth understood that he had not named himself (about which he expressed too vehement a concern) but that he had named lord Shrewsbury, it was said, that he entered into a negotiation with the duchess of Norfolk, that she should, by Fenwick's lady, encourage him to persist in his discoveries; and that he dictated some papers to the duchess that should be offered to him as an additional one, in which many little stories were related which had been told the king, and might be believed by him; and by these the king might have been disposed to believe the rest of Fenwick's paper: and the whole ended in some discoveries concerning Smith, which would naturally occasion his letters to be called for, and then they would probably have had great effect. The duchess of Norfolk declared, that he had dictated all these schemes of his to her, who copied them, and handed them to Fenwick; and that he had left one paper with her; it was short, but contained an abstract of the whole design, and referred to a larger one, which he had only dictated to her. The duchess said, she had placed a gentlewoman, who carried her messages to Fenwick's lady, to over-hear all that passed; so that she both had another witness to support the truth of what she related, and a paper left by him with her. She said that Fenwick would not be guided by him; and said, he would not meddle with contrived discoveries; that thereupon this lord was highly provoked: he said, if Fenwick would follow his advice, he would certainly save him; but if he would not, he would get the bill to pass. And, indeed, when that matter was depending, he spoke two full hours in the house of lords, in favour of the bill, with a peculiar vehemence. Fenwick's lady being much provoked at this, got her nephew, the earl of Carlisle, to move the lords, that Fenwick might be examined, concerning any advices that had been sent him, with relation to his discoveries: and upon this, Fenwick told what his lady had brought him, and thereupon the duchess of Norfolk and her confidant were likewise interrogated, and gave the account which I have here related: in conclusion, Smith's letters were read, and he himself was examined. This held the lords several days; for the earl of Portland, by the king's orders, produced all Smith's papers. By them it appeared, that he was a very insignificant spy, who was always insisting in his old strain of asking money, and taking no care to deserve it. The earl of Monmouth was, upon the accusation and evidence above-mentioned, sent to the Tower, and turned out of all his employments: but the court had no mind to have the matter farther examined into; for the king spoke to myself to do all I could to soften his censure, which he afterwards acknowledged I had done. I did not know what new scheme of confusion might have been opened by him in his own excuse. The house of lords was much set against him, and seemed resolved to go great lengths. To allay that heat, I put them in mind, that he set the revolution first on foot, and was a great promoter of it, coming twice over to Holland to that end: I then moved, that he should be sent to the Tower; this was agreed to, and he lay there till the end of the session, and was removed from all his places; but that loss, as was believed, was secretly made up to him, for the court was resolved not to lose him quite.

Fenwick seeing no hope was left, prepared himself to die; he desired the assistance of one of the deprived bishops, which was not easily granted; but in that, and in several other matters, I did him such service, that he wrote me a letter of thanks upon it. He was beheaded on Tower Hill, and died very composed, in a much better temper than was to be expected; for his life had been very irregular. At the place of his execution, he delivered a paper in writing, wherein he did not deny the facts that had been sworn against him; but complained of the injustice of the procedure, and left his thanks to those who had voted against the bill. He owned his loyalty to king James, and to the prince of Wales after

him ; but mentioned the design of assassinating king William in terms full of horror. The paper was supposed to have been drawn by bishop White, and the jacobites were much provoked with the paragraph last mentioned. This was the conclusion of that unacceptable affair, in which I had a much larger share than might seem to become a man of my profession. But the house of lords, by severe votes, obliged all the peers to be present, and to give their votes in the matter. Since I was therefore convinced, that he was guilty of the crime laid to his charge, and that such a method of proceeding was not only lawful, but in some cases necessary : and since, by the search I made into attainders and parliamentary proceedings, when I wrote the History of the Reformation, I had seen further into those matters, than otherwise I should ever have done ; I thought it was incumbent on me, when my opinion determined me to the severer side, to offer what reasons occurred to me in justification of my vote. But this did not exempt me from falling under a great load of censure upon this occasion \*.

As soon as the business of the session of parliament was at an end, the king went beyond sea. The summer passed over very quietly in England, for the jacobites were now humble and silent. The French were resolved to have peace at any rate, by the end of the year ; they therefore studied to push matters as far as possible, during this campaign, that they might obtain the better terms, and that their king might still, to outward appearance, maintain a superiority in the field, as if nothing could stand before him, and from thence might indulge his vanity in boasting, that, notwithstanding all his successes, he was willing to sacrifice his own advantages to the quiet of Europe. The campaign was opened with the siege of Ath ; the place was ill furnished, and the bad state, both of our coin and credit, set the king's preparations so far back, that he could not come in time to relieve it. From thence the French were advancing towards Brussels, on design, either to take or bombard it ; but the king, by a very happy diligence, preventing them, possessed himself of an advantageous camp, about three hours before the French could reach it, by which they were wholly incapacitated to execute their design. After this, there was no more action in Flanders all the summer : the rest of the time was spent in negotiation.

The French were more successful in Catalonia ; they sent an army against Barcelona, commanded by the duke of Vendome, and their fleet came to his assistance. The garrison was under the command of a prince of Hesse, who had served in the king's army, and, upon changing his religion, was now at the head of the German troops that were sent into Spain. The viceroy (whether by a fate common to all the Spaniards, or from a jealousy that the whole honour should accrue to a stranger, if the place should hold out) so entirely neglected to do his part that he was surprised, and his small army was routed. The town was large and ill fortified, yet it held out two months after the trenches were opened ; so that time was given to the Spaniards sufficient to have brought relief from the furthest corner of Spain. Nothing had happened during the whole course of the war, that did more evidently demonstrate the feebleness into which that monarchy was fallen ; for no relief was sent to Barcelona, so that they were forced to capitulate. By this, the French gained a great point ; hitherto the Spaniards, who contributed the least towards carrying on the war, were the most backward to all overtures of peace ; they had felt little of the miseries of war, and thought themselves out of its reach ; but now France being master of so important a place, which cut off all their communication with Italy, they became as earnest for peace as they had hitherto been averse from it.

Nor was this all their danger : a squadron had been sent at the same time to seize on the plate fleet in the West Indies ; the king ordered a squadron, which he had lying at Cadiz, to sail after them, and assist the Spaniards. The French finding that the galleons were already got to the Havanna, where they could not attack them, sailed to Carthagena, which was in no condition to resist them. The plate had all been sent away before they came thither ; but they landed and pillaged the place, and then gave it out that they had found many millions there, which at first seemed incredible, and was afterwards known to be false : yet it was confidently asserted at that time, to cover the reproach of having miscarried in

\* The whole secret history of this proceeding, all tending to the honour of the duke of Shrewsbury and the whigs, is to be found in archdeacon Cex's "Shrewsbury Correspondence."

the attempt on which they had raised great expectations, and to which many undertakers had been drawn in. Our squadron was much superior to theirs, yet never engaged them ; once indeed they came up to the French, and had some advantage over them ; but did not pursue it. The French sailed to the north towards Newfoundland, where we had another squadron lying, which was sent with some land forces to recover Hudson's bay. These ships might have fallen upon the French, and would probably have mastered them ; but as they had no certain account of their strength, so being sent out upon another service, they did not think it proper to hazard the attacking them. So the French got safe home, and the conduct of our affairs at sea was much censured ; yet our admiralty declared themselves satisfied with the account the commanders gave of their proceedings. But that board was accused of much partiality ; on all such occasions, the unfortunate must expect to be blamed : and, to outward appearance, there was much room given either to censure the orders, or the execution of them. The king owned he did not understand those matters ; and Russel, now made earl of Orford, had both the admiralty and the navy board in a great dependence on himself, so that he was considered almost as much as if he had been lord high admiral. He was too much in the power of those in whom he confided, and trusted them too far ; and it was generally believed that there was much corruption, as it was certain there was much faction, if not treachery, in the conduct of our marine. Our miscarriages made all people cry that we must have a peace, for we could not manage the war to any good purpose ; since, notwithstanding our great superiority at sea, the French conducted their matters so much better than us, that we were losers, even on that element where we used to triumph most. Our squadron, in the bay of Mexico, did very little service ; they only robbed and destroyed some of the French colonies : and that sent to Hudson's bay found it quite abandoned by the French, so that both returned home inglorious.

A great change of affairs happened this year in Poland ; their king, John Sobieski, after he had long outlived the fame he had got by raising the siege of Vienna, died at last under a general contempt. He was going backwards and forwards, as his queen's negotiations in the court of France were entertained, or rejected. His government was so feeble and disjointed at home, that all their diets broke up upon preliminaries, before they could, according to their forms, enter upon business : he was set on heaping up wealth, which seemed necessary to give his son an interest in the succeeding election. And, upon his death, a great party appeared for him, notwithstanding the general aversion to the mother ; but the Polish nobility resolved to make no haste with their election ; they plainly set the crown to sale, and encouraged all candidates that would bid for it. One party declared for the prince of Conti, of which their primate, then a cardinal, was the head. The emperor did all he could to support the late king's son ; but when he saw the French party were too strong for him, he was willing to join with any other pretender.

The duke of Lorrain, the prince of Baden, and Don Livio Odeschalchi, pope Innocent's nephew, were all named ; but these not being likely to succeed, a negotiation was secretly managed with the elector of Saxony, which succeeded so well, that he was prevailed on to change his religion, to advance his troops towards the frontier of Poland, to distribute eight millions of florins among the Poles, and to promise to confirm all their privileges, and in particular to undertake the siege of Caminicck. He consented to all this, and declared himself a candidate a very few days before the election : and so he was set up by the imperialists in opposition to the French party ; his party became quickly so strong, that though upon the first appearance at the election, while every one of the competitors was trying his strength, the French party was the strongest, and was so declared by the cardinal ; yet when the other pretenders saw that they could not carry the election for themselves, they united in opposition to the French interest, and gave over all their voices to the elector of Saxony, by which his party became much the strongest : so he was proclaimed the elected king. The cardinal gave notice to the court of France of what had been done in favour of the prince of Conti ; and desired that he might be sent quickly thither, well furnished with arms and ammunition, but chiefly with money. But the party for Saxony made more dispatch ; that elector lay nearer, and had both his money and troops ready, so he took the oaths that were required, and got the change of his religion to be attested by the

imperial court: he made all the haste he could with his army to Cracow, and he was soon after crowned, to the great joy of the imperial party; but the inexpressible trouble of all his subjects in Saxony.

The secular men there saw, that the supporting this elective crown would ruin his hereditary dominions; and those, who laid the concerns of the protestant religion to heart, were much more troubled, when they saw that house, under whose protection their religion grew up at first, now fall off to popery. It is true, the present family, ever since Maurice's time, had showed very little zeal in that cause. The elected king had so small a share of religion in himself, that little was to be expected from him, nor was it much apprehended that he would become a bigot, or turn a persecutor; but such was the eagerness of the popish clergy towards the suppressing what they call heresy, and the perpetual jealousies with which therefore they would possess the Poles, were likely to be such, in case he used no violence towards his Saxon subjects, as possibly might have great effects on him: so that it is no wonder if they were struck with a general consternation upon his revolt. His electoress, though a very young person, descended of the house of Brandenburg, expressed so extraordinary a measure of zeal and piety upon this occasion, that it contributed much to the present quieting of their fears. The new king sent a popish stadholder to Dresden; but so weak a man, that there was no reason to apprehend much from any conduct of his. He also sent them all the assurances that could be given in words, that he would make no change among them, nor has he hitherto made any steps towards it.

A very unusual accident happened at this time, that served not a little to his quiet establishment on the throne of Poland. The czar was so sensible of the defects of his education, that, in order to the correcting these, he resolved to go a little into the world for better information. He was forming great designs; he intended to make a navigable canal between the Volga and the Tanais, by which he might carry both materials and provisions for a fleet to Azuph; and when that communication was opened, he apprehended great things might be done afterwards. He therefore intended to see the fleets of Holland and England, and to make himself as much master of that matter as his genius could rise up to. He sent an embassy to Holland to regulate some matters of commerce, and to see if they would assist him in the war he was designing against the Turks. When the ambassadors were set out, he settled his affairs in such hands, as he trusted most to, and with a small retinue of two or three servants, he secretly followed his ambassadors, and quickly overtook them. He discovered himself first to the elector of Brandenburg, who was then in Prussia, looking on the dispute that was likely to arise in Poland, in which, if a war should follow, he might be forced to have a share. The czar concerned himself much in the matter, not only by reason of the neighbourhood, but because he feared that, if the French party should prevail, France being in alliance with the Turks, a king sent from thence would probably not only make a peace with the Turks, but turn his arms against himself, which would hinder all his designs for a great fleet. The French party was strongest in Lithuania; therefore the czar sent orders to his generals to bring a great army to the frontier of that duchy, to be ready to break into it, if a war should begin in Poland: and we were told that the terror of this had a great effect. From Prussia, the czar went into Holland, and thence came over to England; therefore I will refer all that I shall say concerning him to the time of his leaving England\*.

A fleet was ordered, at Dunkirk, to carry the prince of Conti to Poland. A squadron of ours, that lay before that port, kept him in for some time; at last he got out, and sailed to

\* This was Peter Michaelowitz, known as Peter the Great, czar of Russia. He was born in 1672, so that at the time he heroically resolved to submit to the privations he necessarily must undergo in making himself practically acquainted with naval architecture, he was but 24 years old. His whole life was spent in efforts that he considered would benefit his country. He entered the army as a common soldier, and performed the duties of every grade, until he attained the command of a body of troops, personally exhibiting his conviction of the necessity of submitting to discipline. In Holland he laboured as a common

shipwright in the dockyard; and then came and worked in a similar capacity in England for four months. Called home suddenly to repress an insurrection, after effecting this, he addressed himself to national improvements, founding schools, colleges, libraries, printing-presses, an observatory, &c. He died in 1725, and was succeeded by his wife, the celebrated czarina Catherine, who had been the not very virtuous daughter of a Livonian peasant. (Voltaire's Life of Peter the Great. Tooke's View of Russia, &c.)

Dantzic; but that city had declared for the new king, so they would not suffer him to land, with all those that had come with him. They only consented to suffer himself to land, with a small retinue; this he thought would not become him, so he landed at Marienbourg, where he was met by some of the chief of his party. They pressed him to distribute the money that he had brought from France, among them, and promised to return quickly to him with a great force; but he was limited by his instructions, and would see a good force before he would part with his treasure. The new king sent some troops to disperse those, who were coming together to serve him, and these had once almost seized on the prince himself; but he acted after that with great caution, and would not trust the Poles. He saw no appearance of any force likely to be brought to him equal to the undertaking, and fearing lest, if he stayed too long, he should be frozen up in the Baltic, he came back to Dunkirk. The cardinal stood out still: the court of Rome rejoiced at the pretended conversion of the new king, and owned him; but he quickly saw such a scene of difficulties, that he had reason to repent his embarking himself in such a dangerous undertaking. This may prove of such importance, both to the political and religious concerns of Europe, that I thought it deserved that a particular mention should be made of it, though it lies at a great distance from us. It had some influence in disposing the French now to be more earnest for a peace; for if they had got a king of Poland in their dependence, that would have given them a great interest in the northern parts, with an easier access, both to assist the Turks and the malcontents in Hungary.

The negotiation for a peace was held at Ryswick, a house of the king's, between the Hague and Delft. The chief of our plenipotentiaries was the earl of Pembroke, a man of eminent virtue, and of great and profound learning, particularly in the mathematics. This made him a little too speculative and abstracted in his notions: he had great application; but he lived a little too much out of the world, though in a public station: a little more practice among men would have given him the last finishing. There was somewhat in his person and manner, that created him an universal respect: for we had no man among us whom all sides loved and honoured so much as they did him: there were two others joined with him in that embassy\*.

The king of Sweden was received as mediator; but he died before any progress was made in the treaty: his son, who succeeded him in his throne, was also received to succeed him in the mediation. The father was a rough and boisterous man; he loved fatigue, and was free from vice; he reduced his kingdom to a military state, and was ever going round it to see how his troops were ordered, and his discipline observed; he looked narrowly into the whole administration: he had quite altered the constitution of his kingdom. It was formerly changed from being an elective, to be an hereditary, kingdom; yet, till his time, it had continued to be rather an aristocracy than a monarchy. But he got the power of the senators to be quite taken away, so that it was left free to him to make use of such councillors as he should choose. The senators had enriched themselves, and oppressed the people;

\* Thomas Herbert, earl of Pembroke, was intended to practise at the bar; but the death of his elder brother precluded the necessity. His rank and fortune gave him great advantages; but it was his merit established him. A mind well furnished is seldom confined to one kind of excellence. Lord Pembroke had many. William sent him ambassador extraordinary to the states general, named him of his privy council, made him colonel of a regiment of marines, first commissioner of the admiralty, lord privy seal, first plenipotentiary of the treaty of Ryswick, knight of the garter, lord high admiral of England and Ireland, president of the council, and seven times lord justice during his absence on the continent. Queen Anne, George the First, and George the Second, continued to employ him in various offices. By all these sovereigns he was highly valued. Able in the cabinet, circumspect in negotiations, shining in the senate, dignified as vice-regent, yet equally pre-eminent in retirement. His learning made him a fit companion for the literati; fond of ancient history, he raised a collection of antiques that were unrivalled by any

private collector. Wilton will ever be a monument of his extensive knowledge, and the princely presents it contains, of the high estimation in which he was held by foreign potentates, as well as the many monarchs he saw and served at home. He lived rather as a primitive christian, in his behaviour meek, in his dress plain, rather retired, conversing but little.—(Noble's Continuation of Grainger.)

Edward Villiers, first earl of Jersey, held at several times the various appointments of master of the horse to the queen, one of the lord's justices of Ireland, ambassador to the states general and to France, and lord chamberlain of the household, dying the very day he was appointed to the office of lord privy seal in 1711. Letters of this nobleman, during the negociation of the peace of Ryswick, are numerous in the "Shrewsbury Correspondence." Contemporary authorities agree in considering him a very cool-headed, talented, man.

Sir Joseph Williamson has been noticed in a previous page.

they had devoured the revenues of the crown ; and in two reigns, in which the sovereign was long in a state of infancy, both in queen Christina's and in this king's time, the senators had taken care of themselves, and had stripped the crown. So the king moved for a general resumption, and this he obtained easily of the states, who, as they envied the wealth of the senators, so they hoped that, by making the king rich, the people would be less charged with taxes. This was not all : he got likewise an act of revision, by which those who had grants were to account for the mean profits, and this was applied even to those who had grants upon valuable considerations ; for when it appeared that the valuable consideration was satisfied, they were to account for all they had received over and above that, and to repay this, with the interest of the money at 12 per cent. for all the years they had enjoyed it. This brought a great debt on all the senators and other families of the kingdom ; it did utterly ruin them, and left them at mercy : and when the king took from them all they had, he kept them still in a dependence upon him, giving them employments in the army or militia that he set up.

After that, he procured of the states of his kingdom an absolute authority to govern them as he thought fit, and according to law ; but even this limitation seemed uneasy, and their slavery was finished by another act which he obtained, that he should not be obliged to govern by law, but by his mere will and pleasure. So successful was he, in the space of five years, to ruin all the families in his kingdom, and to destroy their laws and liberties, and that by their own consent. He died when his son was but fifteen years old, and gave great hopes of being an active, warlike, and indefatigable prince, which his reign ever since has demonstrated to the world \*.

The first act of his reign was the mediation at Ryswick †, where the treaty went on but slowly, till Harlai, the first of the French plenipotentiaries, came to the Hague, who, as was believed, had the secret. He showed a fairer inclination than had appeared in the others, to treat frankly and honourably, and to clear all the difficulties that had been started before ; but while they were negotiating, by exchanging papers, which was a slow method, subject to much delay and too many exceptions and evasions, the marshal Boufflers desired a conference with the earl of Portland, and by the order of their masters, they met four times, and were long alone. That lord told me himself, that the subject of those conferences was concerning king James. The king desired to know how the king of France intended to dispose of him, and how he could own him and yet support the other. The king of France would not renounce the protecting him, by any article of the treaty ; but it was agreed between them, that the king of France should give him no assistance, nor give the king any disturbance on his account, and that he should retire from the court of France, either to Avignon, or to Italy. On the other hand, his queen should have fifty thousand pounds a year, which was her jointure, settled after his death, and that it should now be paid her, he being reckoned as dead to the nation ; and in this the king very readily acquiesced : these meetings made the treaty go on with more dispatch, this tender point being once settled.

A new difficulty arose with relation to the empire. The French offered Brisach and Fribourg as an equivalent for Strasbourg : the court of Vienna consented to this, but the empire refused it. These places belonged to the emperor's hereditary dominions, whereas Strasbourg was a free city, as well as a protestant town ; so the emperor was soon brought to accept of the exchange. All other matters were concerted. Spain was now as impatient of delays as France : England and the States had no other concern in the treaty but to secure their allies, and to settle a barrier in the Netherlands : so, in September, the treaty was signed by all except the German princes : but a set time was prefixed for them to come into it. The duke of Savoy was comprehended within it ; and the princes of the empire, finding they could struggle no longer, did at last consent to it. A new piece of treachery against the protestant religion broke out in the conclusion of all : the French declared that that part of the palatinate which was stipulated to be restored in the state in which it was, by virtue of that article was to continue in the same state, with relation to religion, in

\* He was the celebrated frantically brave Charles the XII.

† Conducted by the regents appointed during the king's minority.

which it was at that time : by this, several churches were to be condemned that otherwise, according to the laws of the empire, and in particular of those dominions, were to be restored to the protestants : the elector palatine accepted of the condition very willingly, being bigoted to a high degree : but some of the princes, the king of Sweden in particular, as duke of Deuxponts, refused to submit to it : but this had been secretly concerted among the whole popish party, who are always firm to the interest of their religion, and zealous for them ; whereas the protestant courts are too ready to sacrifice the common interest of their religion to their own private advantage. The king was troubled at this treacherous motion, but he saw no inclination in any of the allies to oppose it with the zeal with which it was pressed on the other hand. The importance of the thing, sixteen churches being only condemned by it, as the earl of Pembroke told me, was not such as to deserve he should venture a rupture upon it : and it was thought the elector palatine might, on other accounts, be so obnoxious to the protestants, and might need their assistance and protection so much, that he would be obliged afterwards to restore these churches thus wrested from them. So the king contented himself with ordering his plenipotentiaries to protest against this, which they did in a formal act that they passed.

The king by this peace concluded the great design of putting a stop to the progress of the French arms, which he had constantly pursued from his first appearance on the stage, in the year 1672. There was not one of the allies who complained that he had been forgotten by him, or wronged in the treaty : nor had the desire of having his title universally acknowledged raised any impatience in him, or made him run into this peace with any indecent haste. The terms of it were still too much to the advantage of France ; but the length and charge of the war had so exhausted the allies, that the king saw the necessity of accepting the best conditions that could be got. It is true, France was more harassed by the war, yet the arbitrary frame of that government made their king master of the whole wealth of his people : and the war was managed on both sides, between them and us, with this visible difference, that every man who dealt with the French king was ruined by it ; whereas, among us, every man grew rich by his dealings with the king : and it was not easy to see how this could be either prevented or punished. The regard that is shown to the members of parliament among us makes that few abuses can be enquired into or discovered : and the king found his reign grow so unacceptable to his people, by the continuance of the war, that he saw the necessity of coming to a peace. The States were under the same pressure ; they were heavier charged, and suffered more by the war than the English. The French got indeed nothing by a war which they had most perfidiously begun ; they were forced to return to the peace of Nimeguen : Pignerol and Brisach, which cardinal Richelieu had considered as the keys of Italy and Germany, were now parted with ; and all that base practice of claiming so much under the head of reunions and dependencies, was abandoned : the duchy of Lorrain was also entirely restored : it was generally thought that the king of France intended to live out the rest of his days in quiet ; for his parting with Barcelona made all people conclude that he did not intend to prosecute the dauphin's pretensions upon the crown of Spain, after that king's death, by a new war ; and that he would only try how to manage it by negotiation.

The most melancholy part of this treaty was, that no advantages were got by it in favour of the protestants in France : the French refugees made all possible applications to the king, and to the other protestant allies ; but as they were no part of the cause of the war, so it did not appear that the allies could do more for them than to recommend them, in the warmest manner, to the king of France : but he was so far engaged in a course of superstition and cruelty, that their condition became worse by the peace : the court was more at leisure to look after them, and to persecute them, than they thought fit to do during the war. The military men in France did generally complain of the peace as dishonourable and base. The jacobites among us were the more confounded at the news of it, because the court of France did, to the last minute, assure king James that they would never abandon his interests : and his queen sent over assurances to their party here, that England would be left out of the treaty, and put to maintain the war alone : of which they were so confident, that they entered into deep wagers upon it ; a practice little known among us before

the war, but it was carried on, in the progress of it, to a very extravagant degree; so that they were ruined in their fortunes, as well as sunk in their expectations, by the peace. It was said, king James's queen made a bold repartee to the French king, when he told her the peace was signed: she said she wished it might be such as should raise his glory as much as it might settle his repose\*.

But while the peace was concluded in these parts, the war between the emperor and the Turks went on in Hungary. The imperial army was commanded by prince Eugene, a brother of the count of Soissons, who, apprehending that he was not likely to be so much considered as he thought he might deserve in France, went and served the emperor, and grew up in a few years to be one of the greatest generals of the age.

The grand seignior came to command his armies in person, and lay encamped on both sides of the Theisse, having laid a bridge over the river. Prince Eugene marched up to him and attacked his camp on the west side of the river, and, after a short dispute, he broke in and was master of the camp, and forced all who lay on that side over the river. In this action many were killed and drowned: he followed them across the Theisse, and gave them a total defeat: most of their janissaries were cut off, and the prince became master of all their artillery and magazines: the grand seignior himself narrowly escaped, with a body of horse, to Belgrade. This was a complete victory, and was the greatest blow the Turks had received in the whole war. At the same time the czar was very successful on his side against the Tartarians. The Venetians did little on their part, and the confusions in Poland made that republic but a feeble ally: so that the weight of the war lay wholly on the emperor. But though he, being now delivered from the war with France, was more at leisure to prosecute this, yet his revenue was so exhausted, that he was willing to suffer a treaty to be carried on by the mediation of England and Holland; and the French, being now no longer concerned to engage the Porte to carry on the war, the grand seignior fearing a revolution upon his ill success, was very glad to hearken to a treaty, which was carried on all this winter, and was finished the next year at Carlowitz, from which place it takes its name.

By it both parties were to keep that of which they were then possessed; and so this long war of Hungary, which had brought both sides by turns very near the last extremities, was concluded by the direction and mediation of the king of England: upon which I will add a curious observation, that though it may seem to be out of the laws of history, yet, considering my profession, will I hope be forgiven.

Dr. Lloyd, the present most learned bishop of Worcester, who has now for above twenty years been studying the Revelations with an amazing diligence and exactness, had long before this year said, the peace between the Turks and the papal Christians was certainly to be made in the year 1693, which he made out thus:—The four angels, mentioned in the fourteenth chapter of the Revelations, that were bound in the river Euphrates, which he expounds to be the captains of the Turkish forces, that till then were subject to the sultan at Babylon, were to be loosed, or freed from that yoke, and to set up for themselves: and these were prepared to slay the third part of men, for an hour, a day, a month, and a year. He reckons the year, in St. John, is the Julian year of three hundred and sixty-five days, that is, in the prophetic style, each day a year; a month is thirty of these days, and a day

\* No English state measure of such importance as the peace of Ryswick was ever carried on whilst our chief officers of state were in comparative ignorance concerning the negotiations. The duke of Shrewsbury, writing to the earl of Jersey, then lord Villiers, says of the proceedings, "I am more ignorant than you can believe." The fact of so much secrecy being employed, even to those who in other respects were so much trusted, naturally causes a suspicion that some dirty, some disgraceful determinations were being concluded. It was unworthy of William and his protestant allies not to make some stipulations for the safety of the French huguenots; it was a defalcation of honour on the part of Louis to acknowledge William as king of England, when he was pledged to

support the cause of James: it was base of all parties to alienate the interests of the house of Austria. There is no doubt that the terms were in favour of France; and were of such a nature, that the agreement was rather a cessation of hostilities than a peace. The "partition treaty," a part of this unworthy negotiation, was carried on similarly with it consulting the English ministry; and was detrimental to our interests, as well as the cause of future hostilities. By thus slighting his ministers, William incurred another annoyance, he lost their confidence, and eventually caused their secession from his service. The whole of these negotiations are unfolded and illustrated in the "Shrewsbury Correspondence." See also the article "Bentinck," in the *Biographia Britannica*.

makes one ; which, added to the former number, makes three hundred and ninety-six. Now he proves from historians that Ottoman came, and began his conquests at Prousse, in the 1302 ; to which the former number, in which they were to slay the third part of men, being added, it must end in the year 1698 : and though the historians do not mark the hour, or the twelfth part of the day, or year, which is a month, that is, the beginning of the destruction the Turks were to make, yet he is confident, if that is ever known, that the prophecy will be found, even in that, to be punctually accomplished. After this, he thinks their time of hurting the papal Christians is at an end ; they may indeed still do mischief to the Muscovites, or persecute their own Christian subjects, but they can do no hurt to the papalins ; and he is so positive in this, that he consents that all his scheme should be laid aside, if the Turks engage in a new war with them : and I must confess, that their refusing now, in a course of three years, to take any advantage from the troubles in Hungary, to begin the war again, though we know they have been much solicited to it, gives for the present a confirmation to this learned prelate's exposition of that part of the prophecy\*.

The king came over to England about the middle of November, and was received by the city of London in a sort of triumph, with all the magnificence that he would admit. Some progress was made in preparing triumphal arches, but he put a stop to it ; he seemed, by a natural modesty, to have contracted an antipathy to all vain shows ; which was much increased in him by what he had heard of the gross excesses of flattery, to which the French have run beyond the examples of former ages, in honour of their king ; who having shown too great a pleasure in these, they have been so far pursued, that the wit of that nation has been for some years chiefly employed on these ; for they saw that men's fortunes were more certainly advanced by a new and lively invention in that way, than by any service or merit whatsoever. This, in which that king has seemed to be too much pleased, rendering him contemptible to better judges, gave the king such an aversion to every thing that looked that way, that he scarcely bore even with things that were decent and proper.

The king ordered many of his troops to be disbanded soon after the peace ; but a stop was put to that, because the French were very slow in evacuating the places that were to be restored by the treaty, and were not beginning to reduce their troops : so though the king declared what he intended to do, yet he made no haste to execute it, till it should appear how the French intended to govern themselves. The king thought it was absolutely necessary to keep up a considerable land force ; he knew the French would still maintain great armies, and that the pretended prince of Wales would certainly be assisted by them, if England should fall into a feeble and defenceless condition : the king of Spain was also in such an uncertain state of health, so weak, and so exhausted, that it seemed necessary that England should be in a condition to bar France's invading that empire, and to maintain the rights of the house of Austria. But though he explained himself thus in general to his ministers, yet he would not descend to particulars, to tell how many he thought necessary, so that they had not authority to declare what was the lowest number the king insisted on.

Papers were written on both sides, for and against a standing force ; on the one hand, it was pretended that a standing army was incompatible with public liberty, and according to the examples of former times, the one must swallow up the other. It was proposed that the militia might be better modelled, and more trained, which, with a good naval force, some thought would be an effectual security against foreign invasions, as well as it would maintain our laws and liberties at home. On the other side, it was urged, that since all our neighbours were armed, and the most formidable of them all kept up such a mighty force, nothing could give us a real security, but a good body of regular troops ; nothing could be made of the militia, chiefly of the horse, but at a vast charge ; and if it was well regulated

\* Dr. Lloyd is stated by the earl of Dartmouth to have had very erroneous opinions in his old age, respecting the overthrow of papacy, and the approach of the millennium. In the year 1712, he told the queen he was convinced that within four years these events would occur. He was then more than eighty. He stated this in the presence of the lord-treasurer, Oxford, who objected different interpretations to those made by the bishop, which

enraged the aged prelate extremely, he replied, with great passion and rudeness, "So says your treasurer, but God says otherwise, whether he likes it or not." So sincere was the conviction of this worthy prelate upon these points, that he told the queen, that if he was not right he did not know how to discern truth ; and requested he might be removed from his bishopric, as unfit to explain the Gospel to others.—Oxford ed. of this work.

and well commanded, it would prove a mighty army ; but this of the militia was only talked of to put by the other ; for no project was ever proposed to render it more useful ; a force at sea might be so shattered, while the enemy kept within their ports (as it actually happened at the revolution), that this strength might come to be useless when we should need it most : so that, without a considerable land force, it seemed the nation would be too much exposed. The words “standing army” had an odious sound in English ears ; so the popularity lay on the other side ; and the king’s ministers suffered generally in the good characters they had hitherto maintained, because they studied to stop the tide that run so strong the other way.

At the opening of the session of parliament, the king told them, that in his opinion a standing land force was necessary : the house of commons carried the jealousy of a standing army so high, that they would not bear the motion, nor did they like the way the king took of offering them his opinion in the point : this seemed a prescription to them, and might bias some in the counsels they were to offer the king, and be a bar to the freedom of debate. The managers for the court had no orders to name any number ; so the house came to a resolution of paying off and disbanding all the forces that had been raised since the year 1680 : this vote brought the army to be less than eight thousand. The court was struck with this ; and then they tried, by an after-game, to raise the number of fifteen thousand horse and foot. If this had been proposed in time, it would probably have been carried without any difficulty ; but the king was so long upon the reserve, that now, when he thought fit to speak out his mind, he found it was too late : so a force not exceeding ten thousand horse and foot was all that the house could be brought to. This gave the king the greatest distaste of any thing that had befallen him in his whole reign ; he thought it would derogate much from him, and render his alliance so inconsiderable, that he doubted whether he could carry on the government after it should be reduced to so weak and so contemptible a state. He said, that if he could have imagined, that after all the service he should have done the nation, he should have met with such returns, he would never have meddled in our affairs ; and that he was weary of governing a nation that was so jealous as to lay itself open to an enemy, rather than trust him, who had acted so faithfully during his whole life, that he had never once deceived those who trusted him. He said this, with a great deal more to the same purpose, to myself ; but he saw the necessity of submitting to that which could not be helped.

During these debates, the earl of Sunderland had argued with many upon the necessity of keeping up a greater force. This was in so many hands, that he was charged as the author of the counsel, of keeping on foot a standing army : so he was often named in the house of commons, with many severe reflections, for which there had been but too much occasion given during the two former reigns. The tories pressed hard upon, and the whigs were so jealous of him, that he, apprehending that while the former would attack him the others would defend him faintly, resolved to prevent a public affront, and to retire from the court and from business ; not only against the entreaties of his friends, but even the king’s earnest desire that he would continue about him : indeed, upon this occasion, his majesty expressed such a concern and value for him, that the jealousies were increased by the confidence the court saw the king had in him. During the time of his credit things had been carried on with more spirit and better success than before : he had gained such an ascendant over the king, that he brought him to agree to some things that few expected he would have yielded to : he managed the public affairs in both houses with so much steadiness and so good a conduct, that he had procured to himself a greater measure of esteem than he had in any of the former parts of his life ; and the feebleness and disjointed state we fell into, after he withdrew, contributed not a little to establish the character which his administration had gained him.

The parliament went on slowly in fixing the fund for the supplies they had voted : they settled a revenue on the king for life, for the ordinary expense of the government, which was called the Civil List. This they carried to 700,000*l.* a year, which was much more than the former kings of England could apply to those occasions ; 600,000*l.* was all that was designed, but it had been promised at the treaty of Ryswick that king James, being now as dead to

England, his queen should enjoy her jointure, that was 50,000*l.* a year: and it was intended to settle a court about the duke of Gloucester, who was then nine years old: so, to enable the king to bear that expence, this large provision was made for the Civil List. But by some great error in the management, though the court never had so much, and never spent so little, yet payments were ill made, and, by some strange consumption, all was wasted.

While the house of commons was seeking a fund for paying the arrears of the army, and for the expense at sea and land for the next year, a proposition was made for constituting a new East India company, who should trade with a joint-stock, others being admitted in a determinate proportion to a separate trade. The old East India company opposed this, and offered to advance a sum (but far short of what the public occasions required,) for an act of parliament that should confirm their charters. The projectors of the new company offered two millions, upon the security of a good fund, to pay the interest of their money at eight per cent. Great opposition was made to this: for the king, upon an address that was made to him by the house of commons, had granted the old company a new charter, they being obliged to take in a new subscription of 700,000*l.* to increase their stock and trade. Those empowered by this new charter were not charged with any malversation; they had been trading under great disadvantages, and with great losses, by reason of the war. It is true the king had reserved a power to himself, by a clause in the charter, to dissolve them, upon warning given three years before such dissolution: so it was said that no injustice was done them, if public notice should be given of such an intended dissolution. To this it was answered, that the clause reserving that power was put in many charters, but that it was considered only as a threatening, obliging them to a good conduct; but that it was not ordinary to dissolve a company by virtue of such a clause, when no error or malversation was objected. The old company came at last to offer the whole sum that was wanted; but the party was now formed, so they came too late; and this had no other effect but to raise a clamour against this proceeding, as extremely rigorous, if not unjust. This threw the old company and all concerned in it into the hands of the tories, and made a great breach and disjoining in the city of London. And it is certain that this act, together with the inclinations which those of the whigs, who were in good posts, had expressed for keeping up a greater land force, did contribute to the blasting the reputation they had hitherto maintained of being good patriots, and was made use of over England by the tories, to disgrace both the king and them. To this another charge of a high nature was added, that they robbed the public, and applied much of the money that was given for the service of the nation both to the supporting a vast expense, and to the raising great estates to themselves. This was sensible to the people, who were uneasy under heavy taxes, and were too ready to believe that, according to the practice in king Charles's time, a great deal of the money that was given in parliament was divided among those who gave it. These clamours were raised and managed with great dexterity by those who intended to render the king, and all who were best affected to him, so odious to the nation, that by this means they might carry such an election of a new house of commons, as that by it all might be overturned. It was said that the bank of England and the new East India company, being in the hands of whigs, they would have the command of all the money, and, by consequence, of all the trade of England: so a great party was raised against the new company in both houses; but the act for it was carried. The king was very indifferent in the matter at first, but the greatness of the sum that was wanted, which could not probably be raised by any other project, prevailed on him; the interests of princes carrying them often to act against their private opinions and inclinations.

Before the king went into Holland, which was in July, news came from Spain that their king was dying. This alarm was often given before, but it came much quicker now. The French upon this sent a fleet to lie before Cadiz, which came thither at the time that the galleons were expected home from the West Indies; and it was apprehended that, if the king had died, they would have seized on all that treasure. We sent a fleet thither to secure them, but it came too late to have done any service, if it had been needed; this was much censured, but the admiralty excused themselves, by saying that the parliament was so late in

fixing the funds for the fleet, that it was not possible to be ready sooner than they were. The king of Spain recovered for that time, but it was so far from any entire recovery, that a relapse was still apprehended. When the king went to Holland, he left some sealed orders behind him, of which some of his ministers told me they knew not the contents till they were opened: by these, the king ordered sixteen thousand men to be kept up: for excusing this, it was said, that though the parliament had in their votes mentioned only ten thousand land men, to whom they had afterwards added three thousand marines, and had raised only the money necessary for that number, yet no determined number was mentioned in the act itself: so, since the apprehension of the king of Spain's death made it advisable to have a greater force ready for such an accident, the king resolved to keep up a force somewhat beyond that which the house of commons had consented to: the leaving these orders sealed, made the whole blame to be cast singly on the king, as it screened the ministers from a share in this counsel. And we have more than once known ministers put the advices that they themselves gave in such a manner on their masters, that in executing them our kings have taken more care to shelter their ministers than to preserve themselves.

The king, before his leaving England, settled a household about the duke of Gloucester: the earl of Marlborough, who was restored to favour, was made his governor, and I was named by the king to be his preceptor. I used all possible endeavours to excuse myself: I had hitherto no share in the princess's favour or confidence: I was also become uneasy at some things in the king's conduct: I considered him as a glorious instrument, raised up by God, who had done great things by him: I had also such obligations to him, that I had resolved, on public as well as on private accounts, never to engage in any opposition to him, and yet I could not help thinking he might have carried matters further than he did; and that he was giving his enemies handles to weaken his government. I had tried, but with little success, to use all due freedom with him; he did not love to be found fault with; and though he bore every thing that I said very gently, yet he either discouraged me with silence, or answered in such general expressions, that they signified little or nothing. These considerations disposed me rather to retire from the court and town, than to engage deeper in such a constant attendance, for so many years as this employment might run out to. The king made it indeed easy in one respect; for, as the young prince was to be all the summer at Windsor, which was in my diocese, so he allowed me ten weeks in the year for the other parts of my diocese. All my endeavours to decline this were without effect; the king would trust that care only to me, and the princess gave me such encouragement, that I resolved not only to submit to this, which seemed to come from a direction of Providence, but to give myself wholly up to it. I took to my own province the reading and explaining the Scriptures to him, the instructing him in the principles of religion, and the rules of virtue, and the giving him a view of history, geography, politics, and government. I resolved also to look very exactly to all the masters that were appointed to teach him other things\*. But now I turn to give an account of some things that more immediately belong to my own profession.

This year, Thomas Firmin, a famous citizen of London, died: he was in great esteem for promoting many charitable designs, for looking after the poor of the city, and setting them to work, for raising great sums for schools and hospitals, and indeed for charities of all sorts, private and public: he had such credit with the richest citizens, that he had the com-

\* William, duke of Gloucester, was the only offspring of queen Anne that almost outlived childhood. When the king placed him under the tuition of the earl of Marlborough to learn the art of war, he complimented the earl by saying, "Teach him to be what you are, and my nephew cannot want accomplishments." His life was sacrificed, like Edward the Sixth's, to his too devoted attention to his studies. He understood the terms of fortification and navigation; would marshal a company of boys, who had voluntarily enlisted to attend him; studied history, politics, geography, and religion, assiduously; delighted in martial sports and hunting, as relaxations; and was so pious and sweetly tempered, that he was gene-

rally admired and beloved. It will be seen in a future page that he died in 1700, having just completed his eleventh year. His mother never ceased to remember or to lament him, ever after signing herself, when writing to lady, afterwards the duchess of Marlborough, "your poor, unfortunate, faithful, Morley," the name she had adopted in her private correspondence with her confidante; who in this intercourse adopted the signature of "Free-man."—(Noble's Continuation of Grainger.) We may estimate the national sorrow upon this event by remembering how much the loss of the princess Charlotte was lamented by every Englishman.

mand of great wealth as oft as there was occasion for it : and he laid out his own time chiefly in advancing all such designs. These things gained him a great reputation. He was called a socinian, but was really an arian, which he very freely owned before the revolution ; but he gave no public vent to it, as he did afterwards. He studied to promote his opinions, after the revolution, with much heat : many books were printed against the Trinity, which he dispersed over the nation, distributing them freely to all who would accept of them : profane wits were much delighted with this : it became a common topic of discourse to treat all mysteries in religion as the contrivances of priests, to bring the world into a blind submission to them : priestcraft grew to be another word in fashion, and the enemies of religion vented all their impieties under the cover of these words ; but while these pretended much zeal for the government, those who were at work to undermine it made great use of all this : they raised a great outcry against socinianism, and gave it out that it was likely to overrun all ; for archbishop Tillotson and some of the bishops had lived in great friendship with Mr. Firmin, whose charitable temper they thought it became them to encourage. Many undertook to write in this controversy ; some of these were not fitted for handling such a nice subject. A learned deist made a severe remark on the progress of this dispute : he said, he was sure the divines would be too hard for the socinians, in proving their doctrines out of Scripture ; but if the doctrine could be once laughed at and rejected as absurd, then its being proved, how well soever out of Scripture, would turn to be an argument against the Scriptures themselves, as containing such incredible doctrines.

The divines did not go all in the same method, nor upon the same principles. Dr. Sherlock engaged in the controversy : he was a clear, a polite, and a strong writer, and had got great credit in the former reign by his writings against those of the church of Rome ; but he was apt to assume too much to himself, and to treat his adversaries with contempt ; this created him many enemies, and made him pass for an insolent, haughty man : he was at first a jacobite, and while, for not taking the oaths, he was under suspension, he wrote against the socinians, in which he took a new method of explaining the Trinity : he thought there were three eternal minds ; two of these issuing from the Father, but that these were one, by reason of a mutual consciousness in the three to every of their thoughts : this was looked on as plain tritheism ; but all the party applauded him and his book. Soon after that, an accident of an odd nature happened.

There was a book drawn up by bishop Overall, fourscore years ago, concerning government, in which its being of a divine institution was very positively asserted ; it was read in convocation, and passed by that body, in order to the publishing it in opposition to the principles laid down in that famous book of Parsons, the jesuit, published under the name of Dollman. King James the First did not like a convocation entering into such a theory of politics ; so he wrote a long letter to Abbot, who was afterwards archbishop of Canterbury, but was then in the lower house. I had the original, written all in his own hand, in my possession ; by it he desired that no further progress should be made in that matter, and that this book might not be offered to him for his assent. Thus that matter slept, but Sancroft had got Overall's own book into his hands ; so in the beginning of this reign, he resolved to publish it as an authentic declaration that the church of England had made in this matter ; and it was published as well as licensed by him a very few days before he came under suspension for not taking the oaths ; but there was a paragraph or two in it that they had not considered, which was plainly calculated to justify the owning the United Provinces to be a lawful government ; for it was there laid down that when a change of government was brought to a thorough settlement, it was then to be owned and submitted to as a work of the providence of God, and a part of king James's letter to Abbot related to this. When Sherlock observed this, he had some conferences with the party in order to convince them by that, which he said had convinced himself. Soon after that he took the oaths, and was made dean of St. Paul's. He published an account of the grounds he went on, which drew out many virulent books against him. After that they pursued him with the clamour of tritheism, which was done with much malice by the very same persons who had highly magnified the performance while he was of their party ; so powerful is the bias of interest and passion in the most speculative and the most important doctrines.

Dr. South, a learned, but an ill-natured divine, who had taken the oaths, but with the reserve of an equivocal sense which he put on them, attacked Dr. Sherlock's book of the Trinity, not without wit and learning, but without any measure of Christian charity, and without any regard either to the dignity of the subject or the decencies of his profession. He explained the Trinity in the common method, that the Deity was one essence in three substances \*. Sherlock replied, and charged this as Sabellianism; and some others went into the dispute with some learning, but with more heat; one preached Sherlock's notion before the university of Oxford, for which he was censured; but Sherlock wrote against that censure with the highest strains of contempt. The socinians triumphed not a little upon this, and in several of their books they divided their adversaries into real and nominal trinitarians. Sherlock was put in the first class; as for the second class, they pretended it had been the doctrine of the western church ever since the time that the fourth council in the Lateran sat. Some, who took advantage from these debates to publish their impieties without fear or shame, rejoiced to see the divines engaged in such subtle questions; and they reckoned that which side soever might have the better in the turn of this controversy, yet in conclusion they alone must be the gainers by every dispute that brought such important matters to a doubtfulness, which might end in infidelity at last.

The ill effects that were like to follow on those different explanations, made the bishops move the king to set out injunctions, requiring them to see to the repressing of error and heresy with all possible zeal, more particularly in the fundamental articles of the Christian faith; and to watch against and hinder the use of new terms, or new explanations, in those matters. This put a stop to those debates, as Mr. Firmin's death put a stop to the printing and spreading of socinian books. Upon all this, some angry clergymen, who had not that share of preferment that they thought they deserved, began to complain that no convocation was suffered to sit to whom the judging in such points seemed most properly to belong. Books were written on this head; it was said, that the law made in king Henry the Eighth's time, that limited the power of that body, so that no new canons could be attempted, or put in use without the king's licence and consent, did not disable them from sitting; on the contrary, a convocation was held to be a part of the parliament, so that it ought always to attend upon it, and to be ready, when advised with, to give their opinions chiefly in matters of religion. They had also, as these men pretended, a right to prepare articles and canons, and to lay them before the king, who might indeed deny his assent to them, as he did to bills that were offered him by both houses of parliament. This led them to strike at the king's supremacy, and to assert the intrinsic power of the church, which had been disowned by this church ever since the time of the reformation; and indeed the king's supremacy was thought to be carried formerly too high, and that by the same sort of men who were now studying to lay it as low. It seemed that some men were for maintaining it as long as it was in their management, and that it made for them; but resolved to weaken it all they could, as soon as it went out of their hands, and was no more at their discretion: such a turn do men's interests and partialities give to their opinions.

All this while it was manifest that there were two different parties among the clergy; one was firm and faithful to the present government, and served it with zeal: these did not envy the dissenters the ease that the toleration gave them; they wished for a favourable opportunity of making such alterations in some few rites and ceremonies as might bring into the church those who were not at too great a distance from it: and I do freely own that I was

\* This amiable charitable man, and brilliant wit, deserves more than the above solitary notice. Dr. Robert South was born in 1633, became a scholar of Westminster and Christchurch, Oxford, seemed to make it a rule to join the triumphant party, and consequently adhered successively to Cromwell, Charles, James, and William. This pliancy did not arise from avarice; his highest preferment was a canonry, Christchurch, and a prebend stall at Westminster; and the revenues of these, as well as part of his paternal patrimony, he dispersed annually in charities. He valued an old hat and walking stick so highly, having used them many years, that no persuasions could

induce him to exchange them even for the crozier and archiepiscopal mitre. He bore a long and excruciating malady with cheerfulness, and died in 1716. One specimen of his reproving wit must be repeated.—Preaching before Charles the Second, and his equally indecorous courtiers, he perceived that the tenants of the royal pew were sleeping. He stopped, and calling thrice to Lord Lauderdale, who awoke, and stood up, said to him, "My Lord, I am sorry to interrupt your repose, but I must beg that you will not snore quite so loud, lest you should awaken his majesty." (Biog. Britannica. Wood's Athenae Oxon. Noble's Contin. of Grainger.)

of this number. Others took the oaths indeed, and concurred in every act of compliance with the government, but they were not only cold in serving it, but were always blaming the administration, and aggravating misfortunes: they expressed a great esteem for jacobites, and in all elections gave their votes for those who leaned that way; at the same time they shewed great resentments against the dissenters, and were enemies to the toleration, and seemed resolved never to consent to any alteration in their favour. The bulk of the clergy ran this way, so that the moderate party was far out-numbered. Profane minds had too great advantages from this, in reflecting severely on a body of men that took oaths, and performed public devotions, when the rest of their lives was too public and too visible a contradiction to such oaths and prayers.

But while we are thus unhappily disjointed in matters of religion, our neighbours are not so entirely united as they pretend to be. The quietists are said to increase not only in Italy, but in France: the persecution there began at first upon a few jansenists, but it turned soon to the protestants, on whom it has been long very heavy and bloody: this had put an end to all disputes in those matters; a new controversy has since been managed with great heat, between Bossuet, the famous bishop, first of Condom and now of Meaux, and La Motte Fenelon, who was once in high favour with Madame Maintenon, and was, by her means, made preceptor to the dauphin's children, and afterwards advanced to be archbishop of Cambrai. He wrote a treatise of spiritual maxims, according to the subtlety, as well as the sublimity, of the writers called the mystics: in it he distinguished between that which was falsely charged upon them, and that which was truly their doctrine; he put the perfection of a spiritual life in the loving of God purely for himself, without any regard to ourselves, even to our own salvation; and in our being brought to such a state of indifference, as to have no will, nor desire of our own, but to be so perfectly united to the will of God as to rejoice in the hope of Heaven, only because it is the will of God to bring us thither, without any regard to our own happiness. Bossuet wrote so sharply against him, that one is tempted to think a rivalry for favour and preferment had as great a share in it as zeal for the truth. The matter was sent to Rome; Fenelon had so many authorized and canonized writers of his side, that many distinctions must be made use of to separate them from him; but the king was much set against him; he put him from his attendance on the young princess, and sent him to his diocese: his disgrace served to raise his character. Madame Maintenon's violent aversion to a man she so lately raised, was imputed to his not being so tractable as she expected, in persuading the king to own his marriage with her; but that I leave to conjecture. There is a breach running through the Lutheran churches; it appeared at first openly at Hamburgh, where many were going into stricter methods of piety, who from thence were called pietists: there is no difference of opinion between them and the rest, who are most rigid to old forms, and are jealous of all new things, especially of a stricter course of devotion, beyond what they themselves are inclined to practise. There is likewise a spirit of zeal and devotion, and of public charities, sprung at home, beyond what was known among us in former times; of which I may have a good occasion to make mention hereafter.

But to return from this digression; the company in Scotland, this year, set out a fleet, with a colony, on design to settle in America; the secret was better kept than could have been well expected, considering the many hands in which it was lodged; it appeared at last, that the true design had been guessed, from the first motion of it: they landed at Darien, which, by the report that they sent over, was capable of being made a strong place, with a good port. It was no wonder that the Spaniards complained loudly of this; it lay so near Porto-Bello and Panama on the one side, and Carthagena on the other, that they could not think they were safe when such a neighbour came so near the centre of their empire in America: the king of France complained also of this, as an invasion of the Spanish dominions, and offered the court of Madrid a fleet to dislodge them. The Spaniards pressed the king hard upon this: they said they were once possessed of that place, and though they found it too unhealthy to settle there, yet the right to it belonged still to them; so this was a breach of treaties, and a violent possession of their country. In answer to this, the Scotch pretended, that the natives of Darien were never conquered by the Spaniards, and were by consequence a free people; they said, they had purchased of them leave to possess themselves of that

place, and that the Spaniards abandoned the country, because they could not reduce the natives; so the pretension of the first discovery was made void when they went off from it, not being able to hold it; and then the natives being left to themselves, it was lawful for the Scots to treat with them: it was given out that there was much gold in the country. Certainly the nation was so full of hopes from this project, that they raised a fund for carrying it on, greater than, as was thought, that kingdom could stretch to: four hundred thousand pounds sterling was subscribed, and a fourth part was paid down, and afterwards seventy thousand pounds more was brought in, and a national fury seemed to have transported the whole kingdom upon this project.

The jacobites went into the management with a particular heat: they saw the king would be much pressed from Spain; the English nation apprehending that this would be set up as a breach of treaties, and that upon a rupture their effects in Spain might be seized, grew also very uneasy at it; upon which it was thought that the king would in time be forced to disown this invasion, and to declare against it, and in that case they hoped to have inflamed the kingdom with this, that the king denied them his protection, while they were only acting according to law; and this, they would have said, was contrary to the coronation oath, and so they would have thought they were freed from their allegiance to him. The jacobites, having this prospect, did all that was possible to raise the hopes of the nation to the highest degree: our English plantations grew also very jealous of this new colony; they feared, that the double prospect of finding gold, and of robbing the Spaniards, would draw many planters from them into this new settlement; and that the buccaneers might run into them; for by the Scotch act, this place was to be made a free port; and if it was not ruined before it was well formed, they reckoned it would become a seat of piracy, and another Algiers, in those parts. Upon these grounds the English nation inclined to declare against this, and the king seemed convinced that it was an infraction of his treaties with Spain: so orders were sent, but very secretly, to the English plantations, particularly to Jamaica and the Leeward Islands, to forbid all commerce with the Scots at Darien. The Spaniards made some faint attempts on them, but without success: this was a very great difficulty on the king; he saw how much he was likely to be pressed on both hands, and he apprehended what ill consequences were likely to follow, on his declaring himself either way.

The parliament of England had now sat its period of three years, in which great things had been done: the whole money of England was recoined; the king was secured in his government, an honourable peace was made\*, public credit was restored, and the payment of public debts was put on sure and good funds. The chief conduct lay now in a few hands; the lord Somers was made a baron of England; and as he was one of the ablest, and the most incorrupt judges that ever sat in Chancery, so his great capacity for all affairs made the king consider him beyond all his ministers, and he well deserved the confidence that the king expressed for him on all occasions. In the house of commons, Mr. Montague had gained such a visible ascendant over all that were zealous for the king's service, that he gave the law to the rest, which he did always with great spirit, but sometimes with too assuming an air. The fleet was in the earl of Orford's management, who was both treasurer of the navy, and was at the head of the admiralty; he had brought in many into the service, who were very zealous for the government, but a spirit of impolicy and dissolution ran through too many of them, so that those who intended to cast a load upon the government had too great advantages given by some of these. The administration at home was otherwise without exception, and no grievances were complained of.

There was a new parliament called, and the elections fell generally on men who were in the interests of the government; many of them had indeed some popular notions, which they had drank in under a bad government, and thought they ought to keep them under a good one: so that those who wished well to the public did apprehend great difficulties in managing them. The king himself did not seem to lay this to heart so much as was fitting; he stayed long beyond sea; he had made a visit to the duke of Zell, where he was treated in a most magnificent manner. Cross winds hindered his coming to England so soon as he had intended; upon which the parliament was prorogued for some weeks after the

\* The far greater part of Englishmen held an opposite opinion.

members were come up; even this soured their spirits, and had too great a share in the ill humour that appeared among them.

The king's keeping up an army beyond the votes of the former parliament, was much resented, nor was the occasion for doing it enough considered; all this was increased by his own management after he came over. The ministers represented to him, that they could carry the keeping up a land force of ten or twelve thousand, but that they could not carry it further: he said so small a number was as good as none at all, therefore he would not authorize them to propose it; on the other hand, they thought they should lose their credit with their best friends, if they ventured to speak of a greater number. So, when the house of commons took up the debate, the ministry were silent, and proposed no number; upon which those who were in the contrary interest, named seven thousand men, and to this they added, that they should be all the king's natural-born subjects. Both the parts of this vote gave the king great uneasiness; he seemed not only to lay it much to heart, but to sink under it: he tried all that was possible to struggle against it, when it was too late; it not being so easy to recover things in an after-game, as it was to have prevented this misunderstanding, that was likely to arise between him and his parliament. It was surmised that he was resolved not to pass the bill, but that he would abandon the government, rather than hold it with a force that was too small to preserve and protect it; yet this was considered only as a threatening, so that little regard was had to it; the act passed with some opposition in the house of commons; a feeble attempt was made in the house of lords against it, but it was rather a reproach than a service to the government, it being faintly made and ill supported. The royal assent was given, and when it was hoped that the passing the act had softened people's minds, a new attempt was made for keeping the Dutch guards in England, but that was rejected, though the king sent a message desiring it\*.

\* It is easy to conceive how distressing this measure must have been to the king. His guards, as he observed with deep feeling, "had constantly attended him in all actions wherein he had been engaged."—(Chandler's Debates, House of Commons, iii. 93.) They were his companions—his children—for all history concurs in informing us that a general acquires a kind of parental regard for those soldiers that have long been under his care and command. The feeling is mutual: our soldiers during the last war in Spain used to call lord Hill "our father." When William first heard that the vote had passed which was to separate him from his Dutch guards, he paced his apartment for some time with downcast eyes, and suddenly pausing, said with more than usual passion, "If I had a son, these guards should not quit me." He made several efforts to avoid this painful separation. On the 18th of March, 1698, the journals of the house of commons inform us that the "earl of Ranelagh acquainted it, that he had, in command from his majesty, a message to deliver to this house, signed by his majesty, and all of his own hand-writing; which the said earl delivered in to Mr. Speaker, who read the same to the house, and is as followeth: viz.—

" William Rex.

" His majesty is pleased to let the house know, that the necessary preparations are made for transporting the guards, who came with him into England; and that he intends to send them away immediately, unless, out of consideration to him, the house be disposed to find a way for continuing them longer in his service, which his majesty would take very kindly.

" Upon which a question being proposed, that a day be appointed to consider of his majesty's said message, the question was put, that that question be now put, and it passed in the negative.

" 20th of March, 1698.

" The lord Norris reported from the committee appointed on Saturday last, to draw up an humble address, to be

presented to his majesty; that they had drawn up an address accordingly, which he read in his place, and afterwards delivered in at the clerk's table, where the same was read, and is as followeth:—

" Most Gracious Sovereign,

" We, your majesty's most dutiful and loyal subjects, the commons in this present parliament assembled, do, with unfeigned zeal to your majesty's person and government (which God long preserve), most humbly represent,

" That the passing the late act for disbanding the army gave great satisfaction to your subjects; and the punctual execution thereof will prevent all occasions of distrust or jealousy between your majesty and your people.

" It is, Sir, to your loyal commons, an unspeakable grief, that anything should be asked by your majesty's message, to which they cannot consent, *without doing violence to that constitution your majesty came over to restore and preserve*, and did at that time, in your gracious declaration promise, that all those foreign forces which came over with you, should be sent back. In duty therefore to your majesty, and to discharge the trust reposed in us, we crave leave to lay before you, that nothing conduceth more to the happiness and welfare of this kingdom, than an entire confidence between your majesty and your people; which can no way be so firmly established as by entrusting your sacred person with your own subjects, who have so eminently signalized themselves on all occasions during the late long and expensive war."

However we may sympathize with William upon this trying occasion, at the same time we must feel that our legislators were right in their determination—even his ministers were silent, or opposed the motion without energy. They rightly felt that the guards of England should be Englishmen; not only for the sake of the national honour, but because otherwise it would be a precedent for the permanent employment of foreign troops, the most effectual mode of enslaving and enervating a nation. Rome declined from the moment she employed mercenary legions.

In the carrying these points, many hard things were said against the court, and against the king himself ; it was suggested that he loved not the nation ; that he was on the reserve with all Englishmen, and shewed no confidence in them ; but that as soon as the session of parliament was over, he went immediately to Holland ; and they said, this was not to look after the affairs of the States, which had been more excusable ; but that he went thither to enjoy a lazy privacy at Loo ; where, with a few favourites, he hunted and passed away the summer, in a way that did not raise his character much. It is certain the usage he had met with of late put his spirits too much on the fret ; and he neither took care to disguise that, nor to overcome the ill humour, which the manner of his deportment, rather than any just occasion given by him, had raised in many against him. Some, in the house of commons, began to carry things much further, and to say, that they were not bound to maintain the votes, and to keep up the credit of the former parliament ; and they tried to shake the act made in favour of the new East-India company : this was so contrary to the fundamental maxims of our constitution, that it gave cause of jealousy, since this could be intended for nothing, but to ruin the government : money raised by parliament upon bargains and conditions that were performed by those who advanced it, gave them such a purchase of those acts, and this was so sacred, that to overturn it must destroy all credit for the future, and no government could be maintained that did not preserve this religiously.

Among other complaints, one made against the court was, that the king had given grants of the confiscated estates in Ireland ; it was told before, that a bill being sent up by the commons, attainting the Irish that had been in arms, and applying their estates to the paying the public debts, leaving only a power to the king to dispose of the third part of them, was likely to lie long before the lords, many petitions being offered against it ; upon which the king, to bring the session to a speedy conclusion, had promised, that this matter should be kept entire till their next meeting : but the next session going over without any proceeding in it, the king granted away all those confiscations ; it being an undoubted branch of the royal prerogative, that all confiscations accrued to the crown, and might be granted away at the pleasure of the king ; it was pretended that those estates came to a million and a half in value. Great objections were made to the merits of some, who had the largest share in those grants ; attempts had been made, in the parliament of Ireland, to obtain a confirmation of them, but that which Ginkle, who was created earl of Athlone, had, was only confirmed : now it was become a popular subject of declamation, to arraign both the grants, and those who had them ; motions had been often made for a general resumption of all the grants made in this reign ; but in answer to this, it was said, that since no such motion was made for a resumption of the grants made in king Charles the Second's reign, notwithstanding the extravagant profusion of them, and the ill grounds upon which they were made, it shewed both a disrespect and a black ingratitude, if, while no other grants were resumed, this king only should be called in question. The court party said often, let the retrospect go back to the year 1660, and they would consent to it, and that which might be got by it would be worth the while. It was answered, this could not be done after so long a time, that so many sales, mortgages, and settlements had been made, pursuant to those grants ; so all these attempts came to nothing. But now they fell on a more effectual method. A commission was given, by act of parliament, to seven persons named by the house of commons, to enquire into the value of the confiscated estates in Ireland so granted away, and into the considerations upon which those grants were made. This passed in this session, and in the debates, a great alienation discovered itself in many from the king and his government, which had a very ill effect upon all affairs, both at home and abroad. When the time prefixed for the disbanding the army came, it was reduced to seven thousand men ; of these, four thousand were horse and dragoons, the foot were three thousand ; the bodies were also reduced to so small a number of soldiers, that it was said we had now an army of officers : the new method was much approved of by proper judges, as the best into which so small a number could have been brought. There was at the same time a very large provision made for the sea, greater than was thought necessary in a time of peace. Fifteen thousand seamen, with a fleet proportioned to that number, was thought a necessary security, since we were made so weak by land.

I mentioned in the relation of the former year, the czar's coming out of his own country, on which I will now enlarge: he came this winter over to England, and stayed some months among us; I waited often on him, and was ordered, both by the king, and the archbishop and bishops, to attend upon him, and to offer him such informations of our religion and constitution, as he was willing to receive: I had good interpreters, so I had much free discourse with him. He is a man of a very hot temper, soon inflamed, and very brutal in his passion; he raises his natural heat by drinking much brandy, which he rectifies himself with great application: he is subject to convulsive motions all over his body, and his head seems to be affected with these; he wants not capacity, and has a larger measure of knowledge than might be expected from his education, which was very indifferent: a want of judgment, with an instability of temper, appear in him too often, and too evidently; he is mechanically turned, and seems designed by nature rather to be a ship carpenter than a great prince; this was his chief study and exercise while he stayed here; he wrought much with his own hands, and made all about him work at the models of ships: he told me he designed a great fleet at Azoff, and with it to attack the Turkish empire; but he did not seem capable of conducting so great a design, though his conduct in his wars since this, has discovered a greater genius in him than appeared at that time. He was desirous to understand our doctrine, but he did not seem disposed to mend matters in Muscovy: he was indeed resolved to encourage learning, and to polish his people, by sending some of them to travel in other countries, and to draw strangers to come and live among them. He seemed apprehensive still of his sister's intrigues. There was a mixture both of passion and severity in his temper. He is resolute, but understands little of war, and seemed not at all inquisitive that way. After I had seen him often, and had conversed much with him, I could not but adore the depth of the Providence of God that had raised up such a furious man to so absolute an authority over so great a part of the world.

David, considering the great things God had made for the use of man, broke out into the meditation, "What is man, that thou art so mindful of him?" But here there is an occasion for reversing these words, since man seems a very contemptible thing in the sight of God, while such a person as the czar has such multitudes put as it were under his feet, exposed to his restless jealousy and savage temper. He went from hence to the court of Vienna, where he purposed to have stayed some time, but he was called home sooner than he had intended, upon a discovery or a suspicion of intrigues managed by his sister: the strangers to whom he trusted most were so true to him, that those designs were crushed before he came back; but on this occasion he let loose his fury on all whom he suspected; some hundreds of them were hanged all round Moscow, and it was said, that he cut off many heads with his own hand, and so far was he from relenting, or shewing any sort of tenderness, that he seemed delighted with it. How long he is to be the scourge of that nation, or of his neighbours, God only knows; so extraordinary an incident will, I hope, justify such a digression.

The king of Poland was not much better thought of by the Poles, though somewhat deeper in his designs; he had given that republic great cause of suspecting that he intended to turn that free and elective state into an hereditary and absolute dominion. Under the pretence of a civil war, like to arise at home, on the prince of Conti's account, and of the war with the Turks, he had brought in an army of Saxons, of whom the Poles were now become so jealous, that if he does not send them home again, probably that kingdom will fall into new wars.

The young king of Sweden seemed to inherit the roughness of his father's temper with the piety and the virtues of his mother; his coronation was performed in a particular manner, he took up the crown himself, and set it on his head; the design of this innovation in the ceremonial seems to be, that he will not have his subjects think that he holds his crown in any respect by their grant or consent, but that it was his own by descent; therefore no other person was to set it on his head; whereas, even absolute princes are willing to leave this poor remnant and shadow of a popular election among the ceremonies of their coronation; since they are crowned upon the desires and shoutings of their people. Thus the two northern crowns, Denmark and Sweden, that were long under great restraints by their con-

stitution, have in our own time, emancipated themselves so entirely, that in their government they have little regard, either to the rules of law or the decencies of custom. A little time will shew, whether Poland can be brought to submit to the same absoluteness of government; they who set their crown to sale, in so bare-faced a manner, may be supposed ready likewise to sell their liberties, if they can find a merchant that will come up to their price.

The frequent relapses, and the feeble state of the king of Spain's health, gave the world great alarms. The court of Vienna trusted to their interest in the court of Spain, and in that king himself; the French court was resolved not to let go their pretensions to that succession without great advantages; the king and the States were not now strong enough to be the umpires in that matter; this made them more easily hearken to propositions that were set on foot by the court of France; the electoral prince of Bavaria was proposed, he being the only issue of the king of Spain's second sister, who was married to the emperor. Into this, the king, the States, and the elector of Bavaria entered: the court of Spain agreed to this; and that king, by his will, confirmed his father's will, by which the succession of the crown was settled on the issue of the second daughter, and it was resolved to engage all the grandees and cities of Spain to maintain the succession, according to this settlement. The house of Austria complained of this, and pretended that, by a long tract of reciprocal settlements, several mutual entails had passed between those two branches of the house of Austria; the court of France seemed also to complain of it, but they were secretly in it, upon engagements, that the dominions in Italy should fall to their share; but while these engagements, in favour of the prince electoral, were raising great apprehensions every where, that young prince, who seemed marked out for great things, and who had all the promising beginnings that could be expected in a child of seven years old, fell sick, and was carried off the third or fourth day of his illness; so uncertain are all the prospects, and all the hopes, that this world can give. Now the dauphin and the emperor were to dispute, or to divide this succession between them; so a new treaty was set on foot: it was generally given out, and too easily believed, that the king of France was grown weary of war, and was resolved to pass the rest of his days in peace and quiet; but that he could not consent to the exaltation of the house of Austria; yet if that house were set aside, he would yield up the dauphin's pretensions; and so the duke of Savoy was much talked of, but it was with the prospect of having his hereditary dominions yielded up to the crown of France; but this great matter came to another digestion a few months after.

About this time, the king set up a new favourite; Keppel, a gentleman of Guelder, was raised from being a page into the highest degree of favour that any person had ever attained about the king; he was now made earl of Albemarle, and soon after knight of the garter; and by a quick, and unaccountable progress, he seemed to have engrossed the royal favour so entirely, that he disposed of every thing that was in the king's power. He was a cheerful young man, that had the heart to please, but was so much given up to his own pleasures, that he could scarcely submit to the attendance and drudgery that was necessary to maintain his post. He never had yet distinguished himself in any thing, though the king did it in every thing. He was not cold, nor dry, as the earl of Portland was thought to be; who seemed to have the art of creating many enemies to himself, and not one friend: but the earl of Albemarle had all the arts of a court, was civil to all, and procured many favours\*. The earl of Portland observed the progress of this favour with great uneasiness; they grew to be not only incompatible, as all rivals for favour must needs be, but to hate and oppose

\* Arnold Joost Van Keppel came over with William as a page, and had never been employed in offices more important than copying letters, until the royal mistress, Mrs. Villiers, and the earl of Sunderland, employed and sustained him to supplant the other favourite, the earl of Portland. The design proved successful, and however we may lament that ministers of state are ever created through motives and intrigues so unworthy, yet in this instance it is consolatory to know that the instrument was virtuous and talented. He was, in 1696, created baron Ashford, viscount Bury, in England, and earl of Albemarle, in Normandy. This latter title had been

borne by prince of the Plantagenet line, and by the restorer of the Stuarts, as a dukedom, so that one more honourable could not have been selected. To this the garter was appended, and the offices of master of the robes, and a lordship of the bedchamber. He was equally trusted and variously employed by Anne and George the First. He died, aged 43, in 1718. He was handsome, gay, lively, courteous, liberal; these were popular endowments, and made him idolized even by the English. He was faithful, brave, and honourable, which makes him deserving the commendation of mankind.—Noble's Contin. of Grainger.

one another in every thing, by which the king's affairs suffered much ; the one had more of the confidence, and the other much more of the favour ; the king had heaped many grants on the earl of Portland, and had sent him ambassador to France, upon the peace, where he appeared with great magnificence, and at a vast expense, and had many very unusual respects put upon him by that king, and all that court ; but upon his return, he could not bear the visible superiority in favour, that the other was grown up to ; so he took occasion, from a small preference that was given him, in prejudice of his own post, as groom of the stole, and upon it withdrew from the court, and laid down all his employments. The king used all possible means to divert him from this resolution, but without prevailing on him ; he consented to serve the king still in his affairs, but he would not return to any post in the household ; and not long after that he was employed in the new negotiation, set on foot for the succession to the crown of Spain.

This year died the marquis of Winchester, whom the king had created duke of Bolton ; he was a man of a strange mixture ; he had the spleen to a high degree, and affected an extravagant behaviour : for many weeks he would take a conceit not to speak one word ; and at other times he would not open his mouth till such an hour of the day, when he thought the air was pure ; he changed the day into night, and often hunted by torchlight, and took all sorts of liberties to himself, many of which were very disagreeable to those about him. In the end of king Charles's time, and during king James's reign, he affected an appearance of folly, which afterwards he compared to Junius Brutus's behaviour under the Tarquins. With all this he was a very knowing, and a very crafty politic man ; and was an artful flatterer, when that was necessary to compass his end, in which generally he was successful : he was a man of a profuse expense, and of a most ravenous avarice to support that ; and though he was much hated, yet he carried matters before him with such authority and success, that he was in all respects the great riddle of the age.

This summer, sir Josiah Child died ; he was a man of great notions as to merchandize, which was his education, and in which he succeeded beyond any man of his time ; he applied himself chiefly to the East-India trade, which by his management was raised so high, that it drew much envy and jealousy both upon himself and upon the company ; he had a compass of knowledge and apprehension beyond any merchant I ever knew ; he was vain and covetous, and thought too cunning, though to me he seemed always sincere \*.

The complaints that the court of France sent to Rome, against the archbishop of Cambray's book, procured a censure from thence ; but he gave such a ready and entire submission to it, that how much soever that may have lessened him, in some men's opinions, yet it quite defeated the designs of his enemies against him : upon this occasion, it appeared how much both the clergy of France, and the courts of parliament there, were sunk from that firmness which they had so long maintained against the encroachment of the court of Rome ; not so much as one person of those bodies has set himself to assert those liberties, upon which they had so long valued themselves ; the whole clergy submitted to the bull, the king himself received it, and the parliament registered it ; we do not yet know by what methods and practices this was obtained at the court of Rome, nor what are the distinctions, by which they save the doctrine of so many of their saints, while they condemn this archbishop's book ; for it is not easy to perceive a difference between them. From the conclusion of this process at Rome, I turn to another, against a bishop of our own church, that was brought to a sentence and conslusion this summer.

Dr. Watson † was promoted by king James to the bishopric of St. David's ; it was believed that he gave money for his advancement, and that in order to the reimbursing himself, he sold most of the spiritual preferments in his gift. By the law and custom of this church the archbishop is the only judge of a bishop, but upon such occasions he calls for the

\* Sir Josiah Child was the second son of sir Richard Child, a London merchant. His deep acquaintance with the principles of commerce is shewn by his work, entitled "A new discourse upon trade," to which is appended a small essay on usury. It has passed through several editions. He was created a baronet in 1678. He was sixty-nine when he died. His monument, with a long inscrip-

tion, is in the church of Wanstead, Essex.—Morant's Hist. of Essex ; Grainger's Biog. History.

† This was Dr. Thomas Watson, of St. John's college, Cambridge. He had been preferred at the recommendation of lord Dover, in 1687.—Wood's Athenæ Oxon.

assistance of some of the bishops ; he called for six in this cause ; I was one of them. It was proved that the bishop had collated a nephew of his to a great many of the best preferments in his gift, and that for many years he had taken the whole profits of these to himself, keeping his nephew very poor, and obliging him to perform no part of his duty : it was also proved that the bishop obtained leave to keep a benefice, which he held before his promotion by a commendam, (one of the abuses which the popes brought in among us, from which we have not been able hitherto to free our church;) that he had sold both the cure and the profits to a clergyman, for a sum of money, and had obliged himself to resign it upon demand, that is, as soon as the clergyman could, by another sum, purchase the next presentation of the patron : these things were fully proved. To these was added a charge of many oppressive fees, which being taken for benefices that were in his gift, were not only extortion but a presumptive simony. All these he had taken himself, without making use of a register or actuary ; for as he would not trust these secrets to any other, so he swallowed up the fees both of his chancellor and register ; he had also ordained many persons without tendering them the oaths enjoined by law, and yet in their letters of orders, he had certified under his hand and seal that they had taken those oaths ; this was what the law calls *crimen falsi*, the certifying that which he knew to be false : no exceptions lay to the witnesses by whom these things were made out, nor did the bishop bring any proofs on his side to contradict their evidence. Some affirmed that he was a sober and regular man, and that he spoke often of simony with such detestation, that they could not think him capable of committing it. The bishop of Rochester withdrew from the court on the day in which sentence was to be given ; he consented to a suspension, but he did not think that a bishop could be deprived by the archbishop. When the court sat to give judgment, the bishop resumed his privilege of peerage, and pleaded it ; but he having waived it in the house of lords, and having gone on still submitting to the court, no regard was had to this, since a plea to the jurisdiction of the court was to be offered in the first instance, but could not be kept up to the last and then be made use of. The bishops that were present agreed to a sentence of deprivation : I went further, and thought that he ought to be excommunicated. He was one of the worst men, in all respects, that I ever knew in holy orders ; passionate, covetous, and false in the blackest instances ; without any one virtue or good quality to balance his many bad ones. But as he was advanced by king James, so he stuck firm to that interest ; and the party, though ashamed of him, yet were resolved to support him with great zeal. He appealed to a court of delegates, and they, about the end of the year, confirmed the archbishop's sentence. Another prosecution followed for simony, against Jones, bishop of St. Asaph, in which, though the presumptions were very great, yet the evidence was not so clear as in the former case. The bishops in Wales give almost all the benefices in their diocese ; so this primitive constitution that is still preserved among them, was scandalously abused by some wicked men, who set holy things to sale, and thereby increased the prejudices that are but too easily received both against religion and the church.

I published this year an Exposition of the Thirty-nine Articles of Religion. It seemed a work much wanted, and it was justly to be wondered at, that none of our divines had attempted any such performance in a way suitable to the dignity of the subject ; for some slight analyses of them are not worth either mentioning or reading. It was a work that required study and labour, and laid a man open to many malicious attacks ; this made some of my friends advise me against publishing it : in compliance with them I kept it five years by me after I had finished it ; but I was now prevailed on by the archbishop and many of my own order, besides a great many others, to delay the publishing it no longer. It seemed a proper addition to the History of the Reformation, to explain and prove the doctrine which was then established. I was moved first by the late queen, and pressed by the late archbishop to write it. I can appeal to the Searcher of all hearts that I wrote it with great sincerity and a good intention, and with all the application and care I was capable of. I did then expect what I have since met with, that malicious men would employ both their industry and ill nature to find matter for censure and cavils ; but though there have been some books written on purpose against it, and many in sermons and other treatises have occasionally reflected with great severity upon several passages in it, yet this has been done with so little justice or reason, that I am

not yet convinced that there is one single period or expression that is justly remarked on, or that can give me any occasion either to retract or so much as to explain any one part of that whole work, which I was very ready to have done if I had seen cause for it. There was another reason that seemed to determine me to the publishing it at this time \*.

Upon the peace of Ryswick a great swarm of priests came over to England, not only those whom the revolution had frightened away, but many more new men, who appeared in many places with great insolence; and it was said that they boasted of the favour and protection of which they were assured. Some enemies of the government began to give it out, that the favouring that religion was a secret article of the peace; and so absurd is malice and calumny, that the jacobites began to say, that the king was either of that religion, or at least a favourer of it. Complaints of the avowed practices and insolence of the priests were brought from several places during the last session of parliament, and those were maliciously aggravated by some, who cast the blame of all on the king.

Upon this, some proposed a bill, that obliged all persons educated in that religion, or suspected to be of it, who should succeed to any estate before they were of the age of eighteen, to take the oaths of allegiance and supremacy, and the test as soon as they came to that age; and till they did it, the estate was to devolve to the next of kin, that was a protestant, but was to return back to them, upon their taking the oaths. All popish priests were also banished by the bill, and were adjudged to perpetual imprisonment if they should again return to England; and the reward of an hundred pounds was offered to every one who should discover a popish priest so as to convict him. Those who brought this into the house of commons, hoped the court would have opposed it, but the court promoted the bill; so when the party saw their mistake, they seemed willing to let the bill fall; and when that could not be done, they clogged it with many severe and some unreasonable clauses, hoping that the lords would not pass the act; and it was said that if the lords should make the least alteration in it, they in the house of commons, who had set it on, were resolved to let it lie on their table when it should be sent back to them. Many lords who secretly favoured papists on the jacobite account, did for this very reason move for several alterations, some of these importing a greater severity; but the zeal against popery was such in that house, that the bill passed without any amendment, and it had the royal assent. I was for this bill, notwithstanding my principles for toleration and against all persecution for conscience sake: I had always thought, that if a government found any sect in religion incompatible with its quiet and safety, it might, and sometimes ought to send away all of that sect with as little hardship as possible. It is certain that as all papists must at all times be ill subjects to a protestant prince, so this is much more to be apprehended when there is a pretended popish heir in the case. This act hurt no man that was in the present possession of an estate, it only incapacitated his next heir to succeed to that estate if he continued a papist; so the danger of this, in case the act should be well looked to, would put those of that religion who are men of conscience on the selling of their estates, and in the course of a few years might deliver us from having any papists left among us. But this act wanted several necessary clauses to enforce the due execution of it: the word "next of kin," was very indefinite, and the "next of kin," was not obliged to claim the benefit of this act, nor did the right descend to the remoter heirs if the more immediate ones should not take the benefit of it; the test relating to matters of doctrine and worship, did not seem a proper ground for so great a severity, so this act was not followed nor executed in any sort; but here is a scheme laid, though not fully digested, which on some great provocation given by those of that religion, may dispose a parliament to put such clauses in a new act as may make this effectual.

The king of Denmark was in a visible decline all this year, and died about the end of summer. While he was languishing, the duke of Holstein began to build some new forts in that duchy; this the Danes said was contrary to the treaties, and to the *condominium* which that king and the duke have in that duchy. The duke of Holstein had married the king of Sweden's sister, and depended on the assurances he had of being supported by that crown. The young king of Denmark, upon his coming to the crown, as he complained of these infractions,

\* This work has not been considered quite orthodox in its doctrines. Dr. South said that Burnet had served the Church of England as the Jews served St. Paul; giving it forty stripes, save one.

so he entered into an alliance with the king of Poland and the elector of Brandenburg, and, as was said, with the landgrave of Hesse and the duke of Wolfembuttel, to attack Sweden and Holstein at once on all hands. The king of Poland was to invade Livonia; the elector of Brandenburg was to fall into the regal Pomerania, and the other princes were to keep the dukes of Zell and Hanover from assisting Holstein: the king of Denmark himself was to attack Holstein, but his father's chief minister and treasurer, the baron Plesse, did not like the concert, and apprehended it would not end well; so he withdrew from his post which he had maintained long with a high reputation, both for his capacity and integrity; which appeared in this, that though that king's power is now carried to be absolute, yet he never stretched it to new or oppressive taxes; and therefore seeing things were like to take another ply in a new reign, he resigned his employment. He was the ablest and the worthiest man that I ever knew belonging to those parts; he was much trusted and employed by prince George, so that I had great opportunities to know him.

The king of Sweden, seeing such a storm coming upon him from so many hands, claimed the effects of his alliance with England and Holland, who were guarantees of the several treaties made in the North, particularly of the last made at Altena but ten years before. The house of Lunenburgh was also engaged in interest to preserve Holstein as a barrier between them and Denmark. The king of Poland thought the invasion of Livonia, which was to be begun with the siege of Riga, would prove both easy and of great advantage to him. Livonia was anciently a fief of the crown of Poland, and delivered itself for protection to the crown of Sweden by a capitulation: by that they were still to enjoy their ancient liberties; afterwards the pretension of the crown of Poland was yielded up about threescore years ago, so that Livonia was an absolute but legal government: yet the king of Sweden had treated that principality in the same rough manner in which he had oppressed his other dominions; so it was thought that the Livonians were disposed (as soon as they saw a power ready to protect them, and to restore them to their former liberties) to shake off the Swedish yoke; especially if they saw the king attacked in so many different places at once.

The king of Poland had a farther design in this invasion; he had an army of Saxons in Poland, to whom he chiefly trusted in carrying on his designs there; the Poles were become so jealous, both of him and of his Saxons, that in a general diet they had come to very severe resolutions, in case the Saxons were not sent out of the kingdom by a prefixed day; that king therefore reckoned, that as the reduction of Livonia had the fair appearance of recovering the ancient inheritance of the crown, so by this means he would carry the Saxons out of Poland, as was decreed, and yet have them within call; he likewise studied to engage those of Lithuania to join with him in the attempt. His chief dependence was on the czar, who had assured him, that if he could make peace with the Turk, and keep Azuph, he would assist him powerfully against the Swedes; his design being to recover Narva, which is capable of being made a good port. By this means he hoped to get into the Baltic, where if he could once settle, he would soon become an uneasy neighbour to all the northern princes. The king of Poland went into Saxony to mortgage and sell his lands there, and to raise as much money as was possible for carrying on this war; and he brought the electorate to so low a state, that if his designs in Poland miscarry, and if he is driven back into Saxony, he who was the richest prince of the empire will become one of the poorest. But the amusements of balls and operas consumed so much, both of his time and treasure, that whereas the design was laid to surprise Riga in the middle of the winter, he did not begin his attempt upon it before the end of February, and these designs went no farther this year.

While the king was at Loo this summer, a new treaty was set on foot, concerning the succession to the crown of Spain; the king and the states of the United Provinces saw the danger to which they would be exposed if they should engage in a new war, while we were yet under the vast debts that the former had brought upon us; the king's ministers in the house of commons assured him, that it would be a very difficult thing to bring them to enter into a new war for maintaining the rights of the house of Austria. During the debates concerning the army, when some mentioned the danger of that monarchy falling into the hands of a prince of the house of Bourbon, it was set up for a maxim, that it would be of no consequence to the affairs of Europe who was king of Spain, whether a Frenchman, or a Ger-

man ; and that as soon as the successor should come within Spain, he would become a true Spaniard, and be governed by the maxims and interests of that crown ; so that there was no prospect of being able to infuse into the nation an apprehension of the consequence of that succession. The emperor had a very good claim ; but as he had little strength to support it by land, so he had none at all by sea ; and his treasure was quite exhausted by his long war with the Turks : the French drew a great force towards the frontiers of Spain, and they were resolved to march into it upon that king's death ; there was no strength ready to oppose them, yet they seemed willing to compound the matter ; but they said, the consideration must be very valuable that could make them desist from so great a pretension : and both the king and the States thought it was a good bargain, if, by yielding up some of the less important branches of that monarchy, they could save those in which they were most concerned, which were Spain itself, the West-Indies, and the Netherlands. The French seemed willing to accept of the dominions in and about Italy, with a part of the kingdom of Navarre, and to yield up the rest to the emperor's second son, the archduke Charles : the emperor entered into the treaty, for he saw he could not hope to carry the whole succession entire ; but he pressed to have the duchy of Milan added to his hereditary dominions in Germany ; the expedient that the king proposed was, that the duke of Lorrain should have the duchy of Milan, and that France should accept of Lorrain instead of it ; he was the emperor's nephew, and would be entirely in his interests. The emperor did not agree to this, but yet he pressed the king not to give over the treaty, and to try if he could make a better bargain for him ; above all things he recommended secrecy, for he well knew how much the Spaniards would be offended, if any treaty should be owned, that might bring on a dismembering of their monarchy ; for though they were taking no care to preserve it, in the whole, or in part, yet they could not bear the having any branch torn from it. The king reckoned that the emperor, with the other princes of Italy, might have so much interest in Rome, as to stop the pope's giving the investiture of the kingdom of Naples ; and which way soever that matter might end, it would oblige the pope to shew great partiality, either to the house of Austria, or the house of Bourbon ; which might occasion a breach among them, with other consequences, that might be very happy to the whole protestant interest ; any war that might follow in Italy, would be at great distance from us, and in a country that we had no reason to regard much ; besides, that the fleets of England and Holland must come, in conclusion, to be the arbiters of the matter.

These were the king's secret motives ; for I had most of them from his own mouth ; the French consented to this scheme, and if the emperor would have agreed to it, his son the archduke was immediately to go to Spain, to be considered as the heir of that crown ; by these articles, signed both by the king of France and the dauphin, they bound themselves not to accept of any will, testament, or donation, contrary to this treaty, which came to be called *the partition treaty*. I had the original in my hands, which the dauphin signed : the French and the emperor tried their strength in the court of Spain ; it is plain the emperor trusted too much to his interest in that court, and in that king himself ; and he refused to accept of the partition, merely to ingratiate himself with them ; otherwise it was not doubted but that, seeing the impossibility of mending matters, he would have yielded to the necessity of his affairs. The French did, in a most perfidious manner, study to alienate the Spaniards from their allies, by shewing them to how great a diminution of their monarchy they had consented ; so that no way possible was left for them to keep those dominions still united to their crown, but by accepting the duke of Anjou to be their king, with whom all should be again restored. The Spaniards complained in the courts of their allies, in ours in particular, of this partition, as a detestable project, which was to rob them of those dominions that belonged to their crown, and ought not to be torn from it. No mention was made of this during the session of parliament, for though the thing was generally believed, yet it not being publicly owned, no notice could be taken of bare reports, and nothing was to be done, in pursuance of this treaty, during the king of Spain's life.

In Scotland, all men were full of hopes that their new colony should bring them home mountains of gold ; the proclamations sent to Jamaica, and to the other English plantations, were much complained of as acts of hostility and a violation of the common rights of

humanity ; these had a great effect on them, though without these, that colony was too weak and too ill supplied, as well as too much divided within itself, to have subsisted long ; those who had first possessed themselves of it, were forced to abandon it : soon after they had gone from it, a second recruit of men and provisions was sent thither from Scotland ; but one of their ships unhappily took fire, in which they had the greatest stock of provisions ; and so these likewise went off ; and though the third reinforcement, that soon followed this, was both stronger and better furnished, yet they fell into such factions among themselves, that they were too weak to resist the Spaniards, who feeble as they were, yet saw the necessity of attacking them ; and they finding themselves unable to resist the force which was brought against them, capitulated ; and with that the whole design fell to the ground, partly for want of stock and skill in those who managed it, and partly by the baseness and treachery of those whom they employed.

The conduct of the king's ministers in Scotland was much censured, in the whole progress of this affair, for they had connived at it, if not encouraged it, in hopes that the design would fall of itself ; but now it was not so easy to cure the universal discontent, which the miscarriage of this design, to the impoverishing the whole kingdom, had raised, and which now began to spread, like a contagion, among all sorts of people. A petition for a present session of parliament was immediately sent about the kingdom, and was signed by many thousands : this was sent up by some of the chief of their nobility, whom the king received very coldly. Yet a session of parliament was granted them, to which the duke of Queensbury was sent down commissioner. Great pains were taken, by all sorts of practices, to be sure of a majority ; great offers were made them in order to lay the discontents, which ran then very high ; a law for a habeas corpus, with a great freedom for trade, and every thing that they could demand, was offered, to persuade them to desist from pursuing the design upon Darien. The court had tried to get the parliament of England to interpose in that matter, and to declare themselves against that undertaking. The house of lords was prevailed on to make an address to the king, representing the ill effects that they apprehended from that settlement ; but this did not signify much, for as it was carried in that house by a small majority of seven or eight, so it was laid aside by the house of commons. Some were not ill pleased to see the king's affairs run into an embroilment ; and others did apprehend, that there was a design to involve the two kingdoms in a national quarrel, that by such an artifice, a greater army might be raised, and kept up on both sides : so they let that matter fall, nor would they give any entertainment to a bill that was sent them by the lords, in order to a treaty for the union of both kingdoms. The managers in the house of commons who opposed the court, resolved to do nothing that should provoke Scotland, or that should take any part of the blame and general discontent, that soured that nation, off from the king. It was further given out, to raise the national disgust yet higher, that the opposition the king gave to the Scotch colony, flowed neither from a regard to the interests of England, nor to the treaties with Spain ; but from a care of the Dutch, who from Curaçoa drove a coasting trade among the Spanish plantations, with great advantage, which they said the Scotch colony, if once well settled, would draw wholly from them. These things were set about that nation with great industry ; the management was chiefly in the hands of Jacobites : neither the king nor his ministers were treated with the decencies that are sometimes observed, even after subjects have run to arms. The keenest of their rage was plainly pointed at the king himself ; next him, the earl of Portland, who had still the direction of their affairs, had a large share of it. In the session of parliament, it was carried, by a vote, to make the affair of Darien a national concern : upon that the session was for some time discontinued. When the news of the total abandoning of Darien was brought over, it cannot be well expressed into how bad a temper this cast the body of that people ; they had now lost almost two hundred thousand pounds sterling upon this project, besides all the imaginary treasure they had promised themselves from it : so the nation was raised into a sort of fury upon it, and in the first heat of that, a remonstrance was sent about the kingdom for hands, representing to the king the necessity of a present sitting of the parliament, which was drawn in so high a strain as if they had resolved to pursue the effects of it by an armed force. It was signed by a great majority of the members of parliament ; and the ferment in men's spirits was raised

so high, that few thought it could have been long curbed, without breaking forth into great extremities.

The king stayed beyond sea till November: many expected to see a new parliament; for the king's speech, at the end of the former session, looked like a complaint, and an appeal to the nation against them: he seemed inclined to it, but his ministers would not venture on it. The dissolving a parliament in anger has always cast such a load on those who were thought to have advised it, that few have been able to stand it; besides, the disbanding the army had rendered the members, who promoted it, very popular to the nation: so that they would have sent up the same men, and it was thought that there was little occasion for heat in another session. But those who opposed the king, resolved to force a change of the ministry upon him; they were seeking colours for this, and thought they had found one, with which they had made much noise: it was this.

Some pirates had got together in the Indian seas, and robbed some of the Mogul's ships, in particular one, that he was sending with presents to Mecca; most of them were English. The East India company having represented the danger of the Mogul's taking reprisals of them for these losses, it appeared that there was a necessity of destroying those pirates, who were harbouring themselves in some creeks in Madagascar. So a man of war was to be set out to destroy them, and one Kid was pitched upon, who knew their haunts, and was thought a proper man for the service; but there was not a fund to bear the charge of this, for the parliament had so appropriated the money given for the sea, that no part of it could be applied to this expedition. The king proposed the managing it by a private undertaking, and said he would lay down three thousand pounds himself, and recommended it to his ministers to find out the rest. In compliance with this, the lord Somers, the earls of Orford, Rumney, Bellamount, and some others, contributed the whole expense; for the king excused himself, by reason of other accidents, and did not advance the sum that he had promised. Lord Somers understood nothing of the matter, and left it wholly to the management of others, so that he never saw Kid, only he thought it became the post he was in to concur in such a public service. A grant was made to the undertakers, of all that should be taken from those pirates by their ship. Here was a handle for complaint, for as it was against law to take a grant of the goods of any offenders before conviction, so a parity between that and this case was urged; but without any reason: the provisions of law being very different, in the case of pirates and that of other criminals. The former cannot be attacked, but in the way of war; and therefore, since those who undertook this must run a great risk in executing it, it was reasonable, and according to the law of war, that they should have a right to all that they found in the enemies' hands; whereas those who seize common offenders, have such a strength by the law to assist them, and incur so little danger in doing it, that no just inference can be drawn from the one case to the other. When this Kid was thus set out, he turned pirate himself: so a heavy load was cast on the ministry, chiefly on him who was at the head of the justice of the nation. It was said he ought not to have engaged in such a project; and it was maliciously insinuated, that the privateer turned pirate, in confidence of the protection of those who employed him, if he had not secret orders from them for what he did. Such black constructions are men, who are engaged in parties, apt to make of the actions of those whom they intend to disgrace, even against their own consciences; so that an undertaking, that was not only innocent but meritorious, was traduced as a design for robbery and piracy. This was urged in the house of commons as highly criminal, for which all who were concerned in it ought to be turned out of their employments; and a question was put upon it, but it was rejected by a great majority\*. The next attempt was to turn me out from the trust of educating the duke of Gloucester. Some objected my being a Scotchman, others remembered the book that was ordered to be burnt; so they pressed an address to the king for removing me from that post; but this was likewise lost by the same majority that had carried the former vote. The pay for the small army, and the expense of the fleet, were settled, and a fund was given for it: yet those who had reduced the army, thought it needless to have so great a force at sea; they provided

\* 189 to 133 Shrewsbury Correspondence. Captain William Kidd's fate is mentioned in a future part of this work.

only for eight thousand men. This was moved by the tories, and the whigs readily gave way to this reduction, because the fleet was now in another management ; Russel (now earl of Orford), with his friends, being laid aside, and a set of tories being brought into their places.

The great business of this session was the report brought from Ireland by four of the seven commissioners, that were sent by parliament to examine into the confiscations and the grants made of them. Three of the seven refused to sign it, because they thought it false and ill grounded in many particulars, of which they sent over an account to both houses ; but no regard was had to that, nor was any enquiry made into their objections to the report. These three were looked on as men gained by the court ; and the rest were magnified, as men that could not be wrought on nor frightened from their duty. They had proceeded like inquisitors, and did readily believe every thing that was offered to them that tended to inflame the report ; as they suppressed all that was laid before them that contradicted their design of representing the value of the grants as very high, and of showing how undeserving those were who had obtained them. There was so much truth in the main of this, that no complaints against their proceedings could be hearkened to ; and indeed all the methods that were taken to disgrace the report had the quite contrary effect : they represented the confiscated estates to be such, that, out of the sale of them, a million and a half might be raised : so this specious proposition, for discharging so great a part of the public debt, took with the house. The hatred into which the favourites were fallen, among whom and their creatures the grants were chiefly distributed, made the motion go the quicker. All the opposition that was made in the whole progress of this matter, was looked on as a courting the men in favour ; nor was any regard paid to the reserve of a third part, to be disposed of by the king, which had been in the bill that was sent up eight years before to the lords. When this was mentioned, it was answered, that the grantees had enjoyed those estates so many years, that the mean profits did arise to more than a third part of their value : little regard also was shown to the purchases made under those grants, and to the great improvements made by the purchasers, or tenants, which were said to have doubled the value of those estates. All that was said on that head made no impression, and was scarcely heard with patience : yet, that some justice might be done both to purchasers and creditors, a number of trustees were named, in whom all the confiscated estates were vested, and they had a very great and uncontrollable authority lodged with them, of hearing and determining all just claims relating to those estates, and of selling them to the best purchasers ; and the money to be raised by this sale was appropriated to pay the arrears of the army. When all this was digested into a bill, the party apprehended that many petitions would be offered to the house, which the court would probably encourage on design at least to retard their proceedings : so, to prevent this, and that they might not lose too much time, nor clog the bill with too many clauses and provisos, they passed a vote of a very extraordinary nature ; that they would receive no petitions relating to the matter of this bill. The case of the earl of Athlone's grant was very singular : the house of commons had been so sensible of his good service, in reducing Ireland, that they had made an address to the king, to give him a recompence suitable to his services : and the parliament of Ireland was so sensible of their obligations to him, that they, as was formerly told, confirmed his grant of between 2000*l.* and 3000*l.* a-year. He had sold it to those who thought they purchased under an unquestionable title, yet all that was now set aside, no regard being had to it ; so that this estate was thrown into the heap. Some exceptions were made in the bill in favour of some grants, and provision was made for rewarding others, whom the king, as they thought, had not enough considered. Great opposition was made to this by some, who thought that all favours and grants ought to be given by the king, and not originally by a house of parliament ; and this was managed with great heat, even by some of those who concurred in carrying on the bill : in conclusion it was, by a new term as well as a new invention, consolidated with the money bill that was to go for the pay of the fleet and army, and so it came up to the house of Lords ; which by consequence they must either pass or reject. The method that the court took in that house to oppose it, was to offer some alterations that were indeed very just and reasonable ; but since the house of commons would not suffer the

lords to alter money bills, this was in effect to lose it. The court, upon some previous votes, found they had a majority among the lords: so, for some days, it seemed to be designed to lose the bill, and to venture on a prorogation, or a dissolution, rather than pass it. Upon the apprehensions of this, the commons were beginning to fly out into high votes, both against the ministers and the favourites. The lord Somers was attacked a second time, but was brought off by a greater majority than had appeared for him at the beginning of the session. During the debates about the bill he was ill; and the worst construction possible was put on that: it was said he advised all the opposition that was made to it in the house of lords, but that, to keep himself out of it, he feigned that he was ill; though his great attendance in the court of chancery, the house of lords, and at the council table, had so impaired his health, that every year, about that time, he used to be brought very low, and disabled from business. The king seemed resolved to venture on all the ill consequences that might follow the losing this bill; though those would probably have been fatal. As far as we could judge, either another session of that parliament, or a new one, would have banished the favourites, and begun the bill anew, with the addition of obliging the grantees to refund all the mean profits. Many in the house of lords, that in all other things were very firm to the king, were for passing this bill, notwithstanding the king's earnestness against it, since they apprehended the ill consequences that were likely to follow if it was lost. I was one of these, and the king was much displeased with me for it. I said I would venture his displeasure rather than please him in that, which I feared would be the ruin of his government. I confess I did not at that time apprehend what injustice lay under many of the clauses in the bill, which appeared afterwards so evidently, that the very same persons who drove on the bill were convinced of them, and redressed some of them in acts that passed in subsequent sessions. If I had understood that matter aright, and in time, I had never given my vote for so unjust a bill. I only considered it as a hardship put on the king, many of his grants being thus made void; some of which had not been made on good and reasonable considerations, so that they could hardly be excused, much less justified. I thought the thing was a sort of force, to which it seemed reasonable to give way at that time, since we were not furnished with an equal strength to withstand it: but when I saw afterwards, what the consequences of this act proved to be, I did firmly resolve never to consent again to any tack to a money bill as long as I lived. The king became sullen upon all this, and upon the many incidents that are apt to fall in upon debates of this nature: he either did not apprehend in what such things might end, or he was not much concerned at it: his resentment, which was much provoked, broke out into some instances, which gave such handles to his enemies as they wished for; and they improved those advantages, which his ill conduct gave them, with much spite and industry, so as to alienate the nation from him. It was once in agitation among the party to make an address to him against going beyond sea, but even that was diverted with a malicious design. Hitherto the body of the nation retained a great measure of affection to him: this was beginning to diminish, by his going so constantly beyond sea as soon as the session of parliament was ended; though the war was now over. Upon this it grew to be publicly said, that he loved no Englishman's face, nor his company. So his enemies reckoned it was fit for their ends to let that prejudice go on and increase in the minds of the people, till they might find a proper occasion to graft some bad designs upon it. The session ended in April; men of all sides being put into a very ill humour by the proceedings in it\*.

The leaders of the tories began to insinuate to the favourites, the necessity of the king's

\* The commissioners, who had been sent to inquire concerning the grants of the Irish forfeited estates, were the earl of Drogheda, sir Richard Leving, sir Francis Brewster, Mr. Annesley, Mr. Trenchard, Mr. Hamilton, and Mr. Langford. The three first were whigs, and had refused to sign the report; the others were zealous tories. There is no doubt that a large portion of the forfeitures had been given to the king's Dutch supporters, and a large part of the ex-king's estates had been bestowed upon William's mistress. This was ill-judged, and

offensive to the nation. The debates upon the bill of resumption were violent and lengthy in both houses, and it was not until the king directed his friends not to persist in their opposition, that it was passed in the house of lords. When he gave the royal assent to it, and put an end to the session, with becoming dignity he did not accompany the dismissal with the usual speech.—Shrewsbury Correspondence; Smollett's Hist. of England; Journals of the houses.

changing his ministry, in particular of removing the lord Somers, who, as he was now considered as the head of the whigs, so his wise counsels, and his modest way of laying them before the king had gained him a great share of his esteem and confidence; and it was reckoned that the chief strength of the party lay in his credit with the king, and in the prudent methods he took to govern the party, and to moderate that heat and those jealousies, with which the king had been so long disgusted in the first years of his reign. In the house of commons he had been particularly charged for turning many gentlemen out of the commission of the peace: this was much aggravated, and raised a very high complaint against him; but there was no just cause for it. When the design of the assassination and invasion, in the years 1695 and 1696, was discovered, a voluntary association was entered into by both houses of parliament, and that was set round the nation. In such a time of danger, it was thought that those who did not enter voluntarily into it, were so ill affected, or at least so little zealous for the king, that it was not fit they should continue justices of peace: so an order passed in council, that all those who had so refused should be turned out of the commission: he had obeyed this order, upon the representations made to him by the lords-lieutenants and the *custodes rotulorum* of the several counties, who were not all equally discreet: yet he laid those representations before the council, and had a special order for every person that was so turned out. All this was now magnified, and it was charged on him that he had advised and procured these orders; yet this could not be made so much as a colour to proceed against him, a clamour and murmuring was all that could be raised from it. But now the tories studied to get it infused into the king, that all the hard things that had been of late put on him by the parliament, were occasioned by the hatred that was borne to his ministers; and that, if he would change hands and employ others, matters might be softened and mended in another parliament: with this the earl of Jersey studied to possess the earl of Albermarle; and the uneasiness the king was in, disposed him to think, that if he should bring in a set of tories into his business, they would serve him with the same zeal, and with better success than the whigs had done; and he hoped to throw all upon the ministers that were now to be dismissed.

The first time that the lord Somers had recovered so much health as to come to court, the king told him it seemed necessary for his service that he should part with the seals, and he wished that he would make the delivering them up his own act. He excused himself in this: all his friends had pressed him not to offer them, since that seemed to show fear or guilt; so he begged the king's pardon if in this he followed their advice; but he told the king, that whensoever he should send a warrant under his hand, commanding him to deliver them up, he would immediately obey it. The order was brought by lord Jersey, and upon it the seals were sent to the king. Thus the lord Somers was discharged from this great office, which he had held seven years, with a high reputation for capacity, integrity, and diligence; he was in all respects the greatest man I had ever known in that post: his being thus removed was much censured by all but those who had procured it. Our princes used not to dismiss ministers who served them well, unless they were pressed to it by a house of commons, that refused to give money till they were laid aside. But here a minister (who was always vindicated by a great majority in the house of commons when he was charged there, and who had served both with fidelity and success, and was indeed censured for nothing so much as for his being too compliant with the king's humour and notions, or at least for being too soft or too feeble in representing his errors to him,) was removed without a shadow of complaint against him. This was done with so much haste, that those who had prevailed with the king to do it, had not yet concerted who should succeed him: they thought that all the great men of the law were aspiring to that high post, so that any one to whom it should be offered would certainly accept of it: but they soon found they were mistaken; for, what by reason of the instability of the court, what by reason of the just apprehensions men might have of succeeding so great a man, both Holt and Trevor, to whom the seals were offered, excused themselves. It was term time, so a vacancy in that post put things in some confusion. A temporary commission was granted to the three chief judges, to judge in the court of chancery; and after a few days the seals were given to sir Nathan Wright, in







Engraved by W. T. Mute.

JOHN, FIRST LORD SOMERS.

OB. 1716.

JOHN, FIRST LORD SOMERS, THE FATHER OF THE HON. THE EARL OF HARDWICKE.

THE HON. THE EARL OF HARDWICKE



whom there was nothing equal to the post, much less to him who had lately filled it\*. The king's inclinations seemed now turned to the tories, and to a new parliament: it was for some time in the dark who had the confidence, and gave directions to affairs: we who looked on were often disposed to think that there was no direction at all, but that every thing was left to take its course, and that all was given up to hazard.

The king, that he might give some content to the nation, stayed at Hampton Court till July, and then went to Holland: but, before he went, the minister of Sweden pressed him to make good his engagements with that crown. Riga was now besieged by the king of Poland: the first attempt of carrying the place by surprise miscarried; those of Riga were either overawed by the Swedish garrison that commanded there, or they apprehended that the change of masters would not change their condition, unless it were for the worse. So they made a greater stand than was expected; and in a siege of above eight months very little progress was made: the firmness of that place made the rest of Livonia continue fixed to the Swedes. The Saxons made great waste in the country, and ruined the trade of Riga. The king of Sweden, being obliged to employ his main force elsewhere, was not able to send them any considerable assistance. The elector of Brandenburg lay quiet without making any attempt: so did the prince of Hesse and Wolfembuttel. The two scenes of action were in Holstein and before Copenhagen. The king of Denmark found the taking the forts that had been raised by the duke of Holstein an easy work: they were soon carried and demolished: he besieged Toninghen next, which held him longer. Upon the Swedes' demand of the auxiliary fleets, that were stipulated both by the king and the States, orders were given for equipping them here, and likewise in Holland. The king was not willing to communicate this design to the two houses, and try if the house of commons would take upon themselves the expense of the fleet: they were in so bad a humour, that the king apprehended that some of them might endeavour to put an affront upon him, and oppose the sending a fleet into the Sound: though others advised the venturing on this, for no nation can subsist without alliances sacredly observed: and this was an ancient one, lately renewed by the king; so that an opposition in such a point, must have turned to the prejudice of those who should move it. Soon after the session, a fleet of thirty ships, English and Dutch, was sent to the Baltic, commanded by Rook. The Danes had a good fleet at sea, much superior to the Swedes, and almost equal to the fleet sent from hence; but it was their whole strength, so they would not run the hazard of losing it. They kept at sea for some time, having got between the Swedes and the fleet of their allies, and studied to hinder their conjunction. When they saw that could not be done, they retired, and secured themselves within the port of Copenhagen, which is a very strong one. The Swedes, with their allies, came before that town and bombarded it for some days, but with little damage to the place, and none to the fleet. The dukes of Lunenburg, together with the forces that the Swedes had at Bremen, passed the Elbe, and marched to the assistance of the duke of Holstein. This obliged the Danes to raise the siege of Toninghen, and the two armies lay in view of one another for some weeks, without coming to any action. Another design of the Danes did also miscarry. A body of Saxons broke into the territories of the duke of Brunswick, in hopes to force their army to come back to the defence of their own country: but the duke of Zell had left things in so good order, that the Saxons were beat back, and all the booty that they had taken was recovered.

\* Sir Nathan Wright would never have attained the high office to which he was promoted, by his own merits. He was thrown and left upon an elevation by the tide of fortune; and preceded by Somers, as he was followed by Cowper, was a most striking foil to two of the most talented holders of our chancery seals. He rested on a seat not too elevated for his ambition, but it was an imperium far beyond the compass of his mind. He has been succinctly described as “a good common lawyer, a slow chancellor, and a civilian; plain both in person and conversation.” In another part of this work, with the excessive prejudice of a political adversary, Burnet has also impugned sir Nathan's honesty and integrity. This

is not supported by any known facts, and one contradictory narrative deserves to be recited. A watchmaker, having a cause depending in chancery, sent to the lord-keeper a very fine timepiece some few days before the case came to be heard; but sir Nathan returned it with the admonitory message, “I have no doubt of the goodness of the piece, *but it has one motion in it too much for me.*” He was turned out of office in 1705, and died almost forgotten at Cancot Hall, Warwickshire, in 1721. He was promoted at the suggestion of the earl of Rochester.—Noble's Continuation of Grainger; Shrewsbury Correspondence.

In the meantime, the king offered his mediation, and a treaty was set on foot. The two young kings were so much sharpened against one another, that it was not easy to bring them to hearken to terms of peace. The king of Denmark proposed that the king of Poland might be included in the treaty, but the Swedes refused it: and the king was not guaranteee of the treaties between Sweden and Poland, so he was not obliged to take care of the king of Poland. The treaty went on but slowly: this made the king of Sweden apprehend that he should lose the season, and be forced to abandon Riga, which began to be straitened: so to quicken the treaty he resolved on a descent in Zealand. This was executed without any opposition, the king of Sweden conducting it in person, and being the first that landed: he showed such spirit and courage in his whole conduct as raised his character very high: it struck a terror through all Denmark: for now the Swedes resolved to besiege Copenhagen. This did so quicken the treaty, that, by the middle of August, it was brought to a full end: old treaties were renewed, and a liberty of fortifying was reserved for Holstein, under some limitations: and the king of Denmark paid the duke of Holstein two hundred and sixty thousand rix-dollars for the charge of the war. The peace being thus made, the Swedes retired back to Schonen, and the fleets of England and Holland returned home. The king's conduct in this whole matter was highly applauded; he effectually protected the Swedes, and yet obliged them to accept of reasonable terms of peace. The king of Denmark suffered most in honour and interest. It was a great happiness that this war was so soon at an end; for, if it had continued, all the North must have engaged in it, and there the chief strength of the protestant religion lay: so that interest must have suffered much, which side soever had come by the worst, in the progress of the war; and it is already so weak, that it needed not a new diminution.

The secret of the partition treaty was now published, and the project was to be offered jointly, by the ministers of France, England, and the States, to all the princes of Europe; but particularly to those who were most concerned in it: and an answer was to be demanded by a day limited for it. The emperor refused to declare himself till he knew the king of Spain's mind concerning it. The duke of Savoy and the princes of Italy were very apprehensive of the neighbourhood of France. The pope was extremely old, and declined very fast. The treaty was variously censured: some thought it would deliver up the Mediterranean sea and all our trade there, into the hands of France: others thought that the treaties of princes were (according to the pattern that the court of France had set now for almost half an age,) only artifices to bring matters to a present quiet, and that they would be afterwards observed as princes found their account in them. The present good understanding that was between our court and the court of France, made that the party of our malcontents at home, having no support from thence, sunk much in their heat, and they had now no prospect; for it seemed as if the king of France had set his heart on the partition treaty, and it was necessary for him, in order to the obtaining his ends in it, to live in a good correspondence with England and the States. All our hopes were that the king of Spain might yet live a few years longer, till the great mortgages that were on the revenue might be cleared, and then it would be more easy for us to engage in a new war, and to be the arbiters of Europe.

But while we were under the apprehension of his death, we were surprised by an unlooked-for and sudden death of our young prince at home, which brought a great change on the face of affairs. I had been trusted with his education now for two years, and he had made an amazing progress. I had read over the Psalms, Proverbs, and Gospels, with him, and had explained things that fell in my way very copiously; and was often surprised with the questions that he put me, and the reflections that he made. He came to understand things relating to religion beyond imagination. I went through geography so often with him, that he knew all the maps very particularly. I explained to him the forms of government in every country, with the interests and trade of that country, and what was both good and bad in it: I acquainted him with all the great revolutions that had been in the world, and gave him a copious account of the Greek and Roman Histories, and of Plutarch's Lives: the last thing I explained to him was the Gothic constitution, and the beneficiary and feudal laws I talked of these things at different times nearly three hours a day: this was both

easy and delighting to him. The king ordered five of his chief ministers to come once a quarter, and examine the progress he made: they seemed amazed both at his knowledge and the good understanding that appeared in him. He had a wonderful memory, and a very good judgment. He had gone through much weakness and some years of ill health. The princess was with child of him during all the disorder we were in at the revolution, though she did not know it herself at the time when she left the court: this probably had given him so weak a constitution, but we hoped the dangerous time was over. His birthday was the 24th of July, and he was then eleven years old: he complained a little the next day, but we imputed that to the fatigues of a birthday; so that he was too much neglected. The day after, he grew much worse, and it proved to be a malignant fever. He died the fourth day of his illness, to the great grief of all who were concerned in him. He was the only remaining child of seventeen that the princess had borne, some to the full time, and the rest before it. She attended on him, during his sickness, with great tenderness, but with a grave composedness that amazed all who saw it: she bore his death with a resignation and piety that were indeed very singular. His death gave a great alarm to the whole nation: the jacobites grew insolent upon it, and said, now the chief difficulty was removed out of the way of the prince of Wales's succession. Soon after this, the house of Brunswick returned the visit that the king had made them last year, and the eyes of all the protestants in the nation turned towards the electress of Brunswick, who was daughter to the queen of Bohemia, and was the next protestant heir; all papists being already excluded from the succession. Thus, of the four lives that we had in view as our chief security, the two that we depended most on, the queen and the duke of Gloucester, were carried off on the sudden, before we were aware of it; and of the two that remained (the king and the princess), as there was no issue, and little hopes of any by either of them; so the king, who at best was a man of a feeble constitution, was now falling under an ill habit of body: his legs were much swelled, which some thought was the beginning of a dropsy, while others thought it was only a scorbutic distemper.

Thus God was giving us great alarms as well as many mercies. He bears long with us, but we are become very corrupt in all respects: so that the state of things among us gives a melancholy prospect. The nation was falling under a general discontent, and a dislike of the king's person and government: and the king, on his part, seemed to grow weary of us and of our affairs; and partly by the fret, from the opposition he had of late met with, partly from his ill health, he was falling as it were into a lethargy of mind. We were, upon the matter, become already more than half a commonwealth; since the government was plainly in the hands of the house of commons, who must sit once a year, and as long as they thought fit, while the king had only the civil list for life, so that the whole administration of the government was under their inspection; the act for triennial parliaments kept up a standing faction in every county and town of England: but, though we were falling insensibly into a democracy, we had not learned the virtues that are necessary for that sort of government: luxury, vanity, and ambition, increased daily, and our animosities were come to a great height, and gave us dismal apprehensions. Few among us seemed to have a right notion of the love of their country, and of a zeal for the good of the public. The house of commons, how much soever its power was advanced, yet was much sunk in its credit; very little of gravity, order, or common decency, appeared among them: the balance lay chiefly in the house of lords, who had no natural strength to resist the commons. The toleration of all the sects among us had made us live more quietly together of late than could be expected, when severe laws were rigorously executed against dissenters. No tumults or disorders had been heard of in any part of the kingdom these eleven years since that act passed: and yet the much greater part of the clergy studied to blow up this fire again, which seemed to be now as it were covered over with ashes.

The dissenters behaved themselves more quietly with relation to the church, they having quarrels and disputes among themselves: the independents were raising the old antinomian tenets, as if men, by believing in Christ, were so united to him, that his righteousness became theirs, without any other condition besides that of their faith: so that, though they acknowledged the obedience of his laws to be necessary, they did not call it a condition,

but only a consequence, of justification. In this they were opposed by most of the presbyterians, who seemed to be sensible that this struck at the root of all religion, as it weakened the obligation to a holy life: this year had produced a new extravagance in that matter. One Asgil, a member of parliament, had published a book grounded on their notions, on which he had grafted a new and wild inference of his own, that since true believers recovered in Christ all that they lost in Adam, and our natural death was the effect of Adam's sin, he inferred that believers were rendered immortal by Christ, and not liable to death; and that those who believed with a true and firm faith could not die. This was a strain beyond all that ever went before it; and, since we see that all men die, the natural consequence that resulted from this was, that there neither are, nor ever were, any true believers. The presbyterians had been also engaged in disputes with the anabaptists. They complained that they saw too great a giddiness in their people, and seemed so sensible of this, and so desirous to be brought into the church, that a few inconsiderable concessions would very probably have brought the bulk of them into our communion: but the greater part of the clergy were so far from any disposition this way, that they seemed to be more prejudiced against them than ever.

The quakers have had a great breach made among them by one George Keith, a Scotchman, with whom I had my first education at Aberdeen: he had been thirty-six years among them: he was esteemed the most learned man that ever was in that sect: he was well versed both in the oriental tongues, in philosophy, and mathematics: after he had been above thirty years in high esteem among them, he was sent to Pennsylvania (a colony set up by Penn, where they are very numerous), to have the chief direction of the education of their youth. In those parts, he said, he first discovered that which had been always either denied to him, or so disguised that he did not suspect it: but being far out of reach, and in a place where they were masters, they spoke out their mind plainer; and it appeared to him that they were deists, and that they turned the whole doctrine of the Christian religion into allegories; chiefly those which relate to the death and resurrection of Christ, and the reconciliation of sinners to God by virtue of his cross. He, being a true Christian, set himself with great zeal against this, upon which they grew weary of him, and sent him back to England. At his return, he set himself to read many of their books, and then he discovered the mystery which was formerly so hid from him that he had not observed it. Upon this he opened a new meeting, and by a printed summons he called the whole party to come and see the proof that he had to offer, to convince them of these errors: few quakers came to his meetings, but great multitudes of other people flocked about him: he brought the quakers' books with him, and read such passages out of them as convinced his hearers that he had not charged them falsely. He continued these meetings, being still in outward appearance a quaker, for some years; till having prevailed as far as he saw any probability of success, he laid aside their exterior, and was reconciled to the church, and is now in holy orders among us, and likely to do good service in undeceiving and reclaiming some of those misled enthusiasts\*.

The clergy continued to be much divided: all moderate divines were looked upon by some hot men with an evil eye, as persons who were cold and indifferent in the matters of the church: that which flowed from a gentleness, both of temper and principle, was represented as an inclination to favour dissenters, which passed among many for a more heinous thing than leaning to popery itself. Those men, who began now to be called the high church party, had all along expressed a coldness, if not an opposition, to the present settlement. Soon after the revolution some great preferments had been given among them, to try if it was possible to bring them to be hearty for the government; but it appearing that they were soured with a leaven, that had gone too deep to be wrought out, a stop was put to the courting them any more. When they saw preferments went in another channel, they set up a complaint over England of the want of convocations, that they were not allowed to sit, nor act, with a free liberty, to consider of the grievances of the clergy, and of the danger the church was in. This was a new pretension, never thought of since the Reformation. Some books were written to justify it, with great acrimony of style and a strain of insolence that

\* In this year (1700) he published "Reasons for renouncing the sect called Quakers." He died about the year 1715.

was peculiar to one Atterbury, who had indeed very good parts, great learning, and was an excellent preacher, and had many extraordinary things in him; but was both ambitious and virulent out of measure; and had a singular talent in asserting paradoxes with a great air of assurance, showing no shame when he was detected in them, though this was done in many instances: but he let all these pass, without either confessing his errors or pretending to justify himself: he went on still venting new falsehoods in so barefaced a manner, that he seemed to have outdone the Jesuits themselves. He thought the government had so little strength or credit, that any claim against it would be well received; he attacked the supremacy of the crown, with relation to ecclesiastical matters, which had been hitherto maintained by all our divines with great zeal. But now the hot men of the clergy did so readily entertain his notions, that in them it appeared, that those who are the most earnest in the defence of certain points, when these seem to be for them, can very nimbly change their minds upon a change of circumstances\*.

An eminent instance of this had appeared in the house of lords, in the former session, where the deprived bishop of St. David's complained of the archbishop of Canterbury: first, for breach of privilege, since sentence was passed upon him, though he had in court claimed privilege of parliament, to which no regard had been paid; but as he had waived his privilege in the house of lords, it was carried, after a long debate, and by no great majority, that in that case he could not resume his privilege. He excepted next to the archbishop's jurisdiction, and pretended that he could not judge a bishop but in a synod of the bishops of the province, according to the rules of the primitive times: in opposition to this, it was shown that, from the ninth and tenth century downward, both popes and kings had concurred to bring this power singly into the hands of the metropolitans; that this was the constant practice in England before the Reformation; that by the provisional clause in the act passed in the twenty-fifth of Henry the Eighth, that empowered thirty-two persons to draw a new body of church laws, all former laws or customs were to continue in force till that new body was prepared: so that the power the metropolitan then was possessed of stood confirmed by that clause: it is true, during the high commission, all proceedings against bishops were brought before that court, which proceeded in a summary way, and against whose sentence no appeal lay: but, after that court was taken away, a full declaration was made, by an act of parliament, for continuing the power that was lodged with the metropolitan. It was also urged, that if the bishop had any exception to the archbishop's jurisdiction, that ought to have been pleaded in the first instance, and not reserved to the conclusion of all: nor could the archbishop erect a new court, or proceed in the trial of a bishop in any other way than in that which was warranted by law or precedent. To all this no answer was given, but the business was kept up, and put off by many delays. It was said, the thing was

\* Sterne, the sentimentalist, treated his wife with unmerited unkindness; Sheridan wrote in favour of morality, and spoke vehemently against turpitude; Atterbury, mentioned in the text, declares in his letters that he was devoted to a few friends and literary leisure, when it is certain that a more bigoted theologian, or more ambitious statesman, never lived. To the praise given him by Burnet, confined to his talents, may be added, that he was a kind father, and an attached friend. Francis Atterbury, born at Middleton, or Milton-keynes, Buckinghamshire, in 1662, proceeded in his course of education to Westminster school, and Christchurch college, Oxford. From his youth he was distinguished for his literary excellence, and this never deteriorated, any more than his proneness to controversy, which appeared when he was twenty-four. His defence of Luther was the only instance in which, as a disputant, he was triumphant. His polemical opinions were too narrow, his political tenets too slavish, for him to stand firm against Dr. Hoadley, the champion of Christian and civil liberty. Atterbury dazzled by his wit, but Hoadley plainly stated the truth—so the first gained applause, and the other secured conviction. The most lengthy of his controversies was with Dr. Wake, concerning the rights, &c. of convocations, a subject which

has now little interest; but those who would engage in the enquiry will find an ample reference to authorities in Dr. Kippis's edition of the *Biographia Britannica*, article "Atterbury." When the extreme tory party came into power, during the reign of Anne, Atterbury was made bishop of Rochester. This was in 1713. But when other councils were adopted at the accession of George the First, he shewed his disaffection by refusing to join in signing the declaration against the claims of the pretender. He also persuaded Dr. Smallridge, bishop of Bristol, not to subscribe. In 1722 he was apprehended on a charge of being concerned in a plot to restore the Stuarts to the throne. The evidence did not sufficiently substantiate the charge of high treason, so a bill was passed by the parliament to visit him with the punishment of banishment. The chief opposition to this was founded upon its being an extraordinary mode of proceeding, and upon the want of full evidence. The latter deficiency is now removed, for testimony has since been brought to light that proves the bishop's disloyalty to the house of Hanover beyond a doubt. He retired to France, where he died in 1731. His sermons and letters are excellent.—Stackhouse's *Memoirs of Atterbury*; Wood's *Athenæ Oxon*; Boyer's *Hist. of Queen Anne*.

new, and the house was not yet well apprised of it; and the last time in which the debate was taken up in the house, it ended in an intimation that it was hoped the king would not fill that see, till the house should be better satisfied in the point of the archbishop's authority. So the bishopric was not disposed of for some years: and this uncertainty put a great delay to the process against the other Welch bishops accused of the same crime.

In October, the pope died; and at the same time all Europe was alarmed with the desperate state of the king of Spain's health. When the news came to the court of France that he was in the last agony, the earl of Manchester, who was then our ambassador at that court, told me that M. Torcy, the French secretary of state, was sent to him by the king of France, desiring him to let the king, his master, know the news, and to signify to him that the French king hoped that he would put things in readiness to execute the treaty, in case any opposition should be made to it: and in his whole discourse he expressed a fixed resolution in the French councils to adhere to it. A few days after that, the news came of his death and of his will, declaring the duke of Anjou the universal heir of the whole Spanish monarchy. It is not yet certainly known by what means this was brought about, nor how the king of Spain was drawn to consent to it, or whether it was a mere forgery, made by cardinal Portocarrero and some of the grandees, who, partly by practice and corruption, and partly for safety, and that their monarchy might be kept entire (they imagining that the power of France was far superior to all that the house of Austria would be able to engage in its interests), had been prevailed on to prepare and publish this will; and, to make it more acceptable to the Spaniards, among other forfeitures of the crown, not only the successor's departing from what they call the catholic faith, but even his not maintaining the immaculate conception of the Virgin, was one.

As soon as the news came to Rome, it quickened the intrigues of the conclave, so they set up Albano, a man of fifty-two years of age, who, beyond all men's expectations, was chosen pope, and took the name of Clement the Eleventh: he had little practice in affairs, but was very learned; and, in so critical a time, it seems, a pope of courage and spirit, not sunk with age into covetousness or peevishness, was thought the fittest person for that see. France had sent no exclusion to bar him, not imagining that he could be thought on: at first they did not seem pleased with the choice, but it was too late to oppose it: so they resolved to gain him to their interests, in which they have succeeded beyond what they then hoped for. When the court of France had notice sent them of the late king of Spain's will, real or pretended, they seemed to be at a stand for some days; and the letters written from the secretary's office, gave it out for certain that the king would stick to the partition treaty. Madame de Maintenon had an unspeakable fondness for the duke of Anjou; so she prevailed with the dauphin to accept of the will, and set aside the treaty: she also engaged Pontchartrain to second this.

They being thus prepared, when the news of the king of Spain's death came to Fontainebleau, where the court was at that time, M. Spanheim, who was then there as ambassador of Prussia, told me, that a cabinet council was called within two hours after the news came; it met in Madame de Maintenon's lodgings, and sat about four hours; Pontchartrain was for accepting the will, and the rest of the ministry were for adhering to the treaty; but the dauphin joined for accepting the will, with an air of positiveness, that he had never assumed before: so it was believed to be done by concert with the king, who was reserved, and seemed more inclined to the treaty: in conclusion, madame de Maintenon said, what had the duke of Anjou done to provoke the king, to bar him of his right to that succession? and upon this all submitted to the dauphin's opinion, and the king seemed overcome with their reasons.

This was on Monday; but though the matter was resolved on, yet it was not published till Thursday; for then, at the king's levee, he declared, that he accepted of the will, and the duke of Anjou was now treated as king of Spain. Notice of this being sent to Spain, an ambassador came in form to signify the will, and to desire that their king might go and live among them. Upon which he was sent thither, accompanied by his two brothers, who went with him to the frontiers of Spain. When the court of France published this resolution, and sent it to all the courts of Europe, they added a most infamous excuse for this noto-

rious breach of faith. they said, the king of France considered chiefly what was the main design of the treaty, which was to maintain the peace of Europe; and therefore to pursue this, he departed from the words of the treaty, but he adhered to the spirit and the chief intent of it. This seemed to be an equivocation of so gross a nature, that it looked like the invention of a jesuit confessor, adding impudence to perjury. The king and the States were struck with this; the king was full of indignation to find himself so much abused; so he came over to England to see what was to be done upon so great an emergency. The Spaniards, seeing themselves threatened with a war from the emperor, and apprehending that the empire, together with England and the United Provinces, might be engaged to join in the war, and being unable to defend themselves, delivered all into the hands of France: and upon that, both the Spanish Netherlands and the duchy of Milan received French garrisons: the French fleet came to Cadiz; a squadron was also sent to the West Indies; so that the whole Spanish empire fell now, without a stroke of the sword, into the French power. All this was the more formidable, because the duke of Burgundy had then no children, and by this means, the king of Spain was in time likely to succeed to the crown of France; and thus the world saw the appearance of a new universal monarchy, likely to arise out of this conjunction.

It might have been expected that, when such a new unlooked-for scene was opened, the king should have lost no time in bringing his parliament together as soon as possible; it was prorogued to the 20th of November, and the king had sent orders from Holland to signify his resolution for their meeting on that day; but the ministers, whom he was then bringing into his business, had other views; they thought they were not sure of a majority in parliament for their purposes, so they prevailed with the king to dissolve the parliament, and after a set of sheriffs were pricked, fit for the turn, a new parliament was summoned, to meet on the sixth day of February, but it was not opened till the tenth.

And now I am come to the end of this century, in which there was a black appearance of a new and dismal scene; France was now in possession of a great empire, for a small part of which they had been in wars (broken off indeed in some intervals) for above two hundred years; while we in England, who were to protect and defend the rest, were, by wretched factions and violent animosities, running into a feeble and disjointed state: the king's cold and reserved manner, upon so high a provocation, made some conclude, that he was in secret engagements with France; that he was resolved to own the new king of Spain, and not to engage in a new war: this seemed so different from his own inclinations, and from all the former parts of his life, that it made many conclude that he found himself in an ill state of health, the swelling of his legs being much increased, and that this might have such effects on his mind, as to make him less warm and active, less disposed to involve himself in new troubles; and that he might think it too inconsiderate a thing to enter on a new war that was not likely to end soon, when he felt himself in a declining state of health; but the true secret of this unaccountable behaviour in the king was soon discovered.

The earl of Rochester was now set at the head of his business, and was to bring the tories into his service: they had continued, from his first accession to the throne, in a constant opposition to his interests; many of them were believed to be jacobites in their hearts, and they were generally much against the toleration, and violent enemies to the dissenters; they had been backward in every thing that was necessary for carrying on the former war; they had opposed taxes as much as they could, and were against all such as were easily levied and less sensibly felt by the people; and were always for those that were most grievous to the nation, hoping that by those heavy burdens the people would grow weary of the war and of the government: on the contrary, the whigs, by supporting both, were become less acceptable to the nation: in elections their interest was much sunk; every new parliament was a new discovery that they were become less popular, and the others, who were always opposing and complaining, were now cried up as the patriots. In the three last sessions, the whigs had showed such a readiness to give the king more force, together with a management to preserve the grants of Ireland, that they were publicly charged as betrayers of their country, and as men that were for trusting the king with an army; in a word, they were accused of too ready a compliance with the humours and interests of courts and favourites, so they were generally censured and decried: and now, since they had not succeeded to the

king's mind, some about him possessed him with this, that either they would not, or could not serve him. In some of them indeed, their principles lay against those things, whereas the tories' principles did naturally lead them to make the crown great and powerful ; it was also said, that the great opposition made to every thing the king desired, and the difficulties that had been of late put upon him, flowed chiefly from the hatred borne to those who were employed by him, and who had brought in their friends and creatures into the best posts, and they were now studying to recover their lost popularity, which would make them cold, if not backward, in complying with what the king might desire for the future : the whigs did also begin to complain of the king's conduct, of his minding affairs so little, of his being so much out of the kingdom, and of his ill choice of favourites ; and they imputed the late miscarriages to errors in conduct, which they could neither prevent nor redress : the favourites, who thought of nothing but to continue in favour, and to be still safe and secure in their credit, concurred to press the king to take other measures, and to turn to another set of men, who would be no longer his enemies, if they had some of the best places shared among them ; and though this method had been almost fatal when the king had followed it, soon after his first accession to the crown, yet there seemed to be less danger in trying it now than was formerly. We were in full peace ; and it was commonly said, that nobody thought any more of king James, and therefore it was fit, for the king's service, to encourage all his people to come into his interests, by letting them see how soon he could forget all that was past. These considerations had so far prevailed with him, that before he went out of England, he had engaged himself secretly to them ; it is true, the death, first of the duke of Gloucester, and now of the king of Spain, had very much changed the face of affairs, both at home and abroad ; yet the king would not break off from his engagements.

Soon after his return to England, the earl of Rochester was declared lord lieutenant of Ireland, and he had the chief direction of affairs\*. And that the most eminent man of the whigs might not oppose them in the new parliament, they got Mr. Montague to be made a baron, who took the title of Halifax, which was sunk by the death of that marquis, without issue male. The man on whose management of the house of commons this new set depended, was Mr. Harley, the heir of a family which had been hitherto the most eminent of the presbyterian party ; his education was in that way ; but he, not being considered at the revolution as he thought he deserved, had set himself to oppose the court in every thing, and to find fault with the whole administration. He had the chief hand, both in the reduction of the army, and in the matter of the Irish grants : the high party trusted him, though he still kept up an interest among the presbyterians ; and he had so particular a dexterity, that he made both the high church party and the dissenters depend upon him ; so it was agreed that he should be speaker†. All this while, the new ministers talked of nothing but negotiations, and gave it out, that the king of France was ready to give all the security that could be desired, for maintaining the peace of Europe. At this time the emperor sent over

\* Rochester, we have seen, was reconciled to queen Mary by the influence of Burnet ; he was restored to the favour of the king by Mr. Harley.—Clarendon Correspondence.

† It will be only necessary to detail in this note the early and concluding events of Mr. Harley's life. Those which marked his mid-career are related by Burnet. Robert Harley, born in Bow-street, Covent Garden, during 1661, was the son of sir Edward Harley. Being destined for the army, it does not appear to have been thought requisite to send him to an university, and his education ceased at a private school in Oxfordshire. He is thus an instance that a man's fondness for, and excellence in literary attainments, depend chiefly upon himself ; for he not only is the still remembered patron of learning, but excelled as a writer. Upon the landing of William, he, in common with his father and brothers, made exertions in his favour ; but from some disgust did not obtain employment under William and Mary, though he came into favour at the closing of the former's life. No one understood better the duties of the speaker of the house of

commons. His eloquence was artificial : he never made confidants, so his plans as a statesman were rarely discovered before his own appointed time. Sanguine in his temperament, yet he had a perfect command over his passion. Abounding in wit and humour, he justly applauded it when even employed upon himself, and rebuked those who resented such playful freedoms. He was a strict dissenter, though a leader of the tories ; and although among his chaplains he always had one of the established church. Although he cherished the dissenters, yet churchmen admired and supported him. Just before the death of queen Anne, in 1714, he retired from office, and the next year afforded another instance of popular fickleness, being impeached by the house of commons, and confined two years in the Tower, though eventually acquitted. He died in 1724. His books, the catalogue of which fills four octavo volumes, were sold by auction ; but his collection of MSS. fortunately are preserved entire in the British Museum.—Collins's Peerage ; Noble's Contin. of Grainger ; Boyer's Queen Anne ; Coxe's Memoirs of Marlborough, &c.

to England a minister to set forth his title to the Spanish monarchy, settled on his house by ancient entails, often repeated, and now devolving on him by an undoubted right, since by the renunciation made by the late queen of France, (as was stipulated by the treaty of the Pyrenees, and then made by her in due form) this could not be called in question. Our new ministers were scarcely civil to the emperor's envoy, and would not enter into any consultations with him: but the Dutch who were about the king, and all the foreign ministers, spoke in another style; they said that nothing but a general union of all the powers in Europe, could hinder the conjunction of the two monarchies; so, by what those who talked often with the king gave out, it came to be soon known that the king saw the necessity of a new war, but that he kept himself in a great reserve that he might manage his new ministers and their party, and see if he could engage them to concur with him.

But before I conclude the relation of this year, at which the century ends, I must close it with an account of the king of Sweden's glorious campaign; he made all the haste he could to relieve Livonia, where not only Riga was for some months besieged by the king of Poland, but Narva was also attacked by the czar, who hoped by taking it to get an entrance into the Baltic: the czar came in person against it with an army of one hundred thousand men: Narva was not provided for a siege; it had a small garrison, and had very poor magazines, yet the Muscovites attacked it so feebly, that it held out beyond all expectation till the end of the year. Upon the king of Sweden's landing at Revel, the Saxons drew off from Riga, after a long siege at a vast charge; this being done, and Riga both opened and supplied, that king marched next to Narva. The czar, upon his march towards him, left his army in such a manner as made all people conclude he had no mind to hazard his person; the king marched through ways that were thought so impracticable, that little care had been taken to secure them; so he surprised the Muscovites, and broke into their camp before they apprehended he was near them; he totally routed their army, took many prisoners, with all their artillery and baggage, and so made a glorious entry into Narva\*. This is the noblest campaign that we find in any history, in which a king about eighteen years of age led an army himself against three kings, who had confederated against him, and was successful in every one of his attempts, giving great marks both of personal courage and good conduct in them all; and which is more extraordinary, an eminent measure both of virtue and piety appeared in his whole behaviour. In him the world hoped to see another Gustavus Adolphus, who conquered, or rather possessed himself of Livonia, in the same year of his age, in which this king did now so gloriously recover it, when almost lost by the invasion of two powerful neighbours. There were great disorders at this time in Lithuania, occasioned by the factions there, which were set on and fomented by the king, who seemed to aspire to be the hereditary king of Poland. But as these things are at a great distance from us, so since we have no public minister in those parts, I cannot give an account of them, nor form a true judgment thereupon. The eighteenth century began with a great scene, that opened with it.

The new king of Spain wrote to all the courts of Europe, giving notice of his accession to that crown, only he forgot England: and it was publicly given out that he had promised the pretended prince of Wales, that in due time he would take care of his interests: the king and the States were much alarmed when they beheld the French possessed of the Spanish Netherlands: a great part of the Dutch army lay scattered up and down in those garrisons, more particularly in Luxemburg, Namur, and Mons, and these were now made prisoners of war: neither officers nor soldiers could own the king of Spain, for their masters had not yet done it: at this time the French pressed the States very hard to declare themselves; a great party in the States were for owning him, at least in form, till they could get their troops again into their own hands, according to capitulation; nor were they then in a condition to resist the impression that might have been made upon them from the garrisons in the Spanish Guelder, who could have attacked them before they were able to make head: so the States consented to own the king of Spain. That being done, their battalions were sent back, but they were ill used, contrary to capitulation, and the soldiers were tempted to desert their service, yet very few could be prevailed on to do it.

As soon as our parliament was opened, it appeared that the French had a great party in

\* See Voltaire's Hist. of Charles the Twelfth.

it ; it is certain great sums came over this winter from France ; the packet-boat came seldom without 10,000 louis-d'or ; it brought often more : the nation was filled with them, and in six months' time, a million of guineas were coined out of them : the merchants indeed said, that the balance of trade was then so much turned to our side, that, whereas we were wont to carry over a million of our money in specie, we then sent no money to France ; and had at least half that sum sent over to balance the trade ; yet this did not account for that vast flood of French gold that was visible amongst us : and, upon the French ambassador's going away, a very sensible alteration was found in the bills of exchange : so it was concluded that great remittances were made to him, and that these were distributed among those who resolved to merit a share in that wealth, which came over now so copiously beyond the example of former times. The king, in his speech to the parliament, in the most effectual manner possible, recommended the settling the succession of the crown, in the protestant line ; and with relation to foreign affairs, he laid them before the two houses that they might offer him such advices as the state of the nation and her alliances required ; but he did not so much as intimate to them his own thoughts concerning them. A design was laid in the house of commons, to open the session with an address to the king, that he would own the king of Spain : the matter was so far concerted, that they had agreed on the words of the vote, and seemed not to doubt of the concurrence of the house ; but Mr. Monkton opposed it with great heat, and among other things said, that if that vote was carried, he should expect that the next vote to be put, would be for owning the pretended prince of Wales : upon this occasion it appeared, how much popular assemblies are apt to be turned by a thing boldly said, though the consequence is ever so remote ; since the connection of these two points lay at some distance, yet the issue of the debate was quite contrary to that which was designed ; it ended in an address to the king, to enter into new alliances with the States for our mutual defence, and for preserving the liberty and peace of Europe : these last words were not carried without much difficulty ; they were considered, as they were indeed, an insinuation towards a war.

Upon the view of the house, it appeared very evidently, that the tories were a great majority ; yet they, to make the matter sure, resolved to clear the house of a great many that were engaged in another interest : reports were brought to them of elections that had been scandalously purchased, by some who were concerned in the new East-India company. Instead of drinking and entertainments, by which elections were formerly managed, now a most scandalous practice was brought in of buying votes with so little decency, that the electors engaged themselves by subscription to choose a blank person before they were trusted with the name of their candidate. The old East-India company had driven a course of corruption within doors with so little shame, that the new company intended to follow their example, but with this difference, that, whereas the former had bought the persons who were elected, they resolved to buy elections. Sir Edward Seymour, who had dealt in this corruption his whole life-time, and whom the old company was said to have bought before, at a very high price, brought before the house of commons the discovery of some of the practices of the new company ; the examining into these took up many days. In conclusion, the matter was so well proved, that several elections were declared void ; and some of the persons so chosen were for some time kept in prison ; after that they were expelled the house. In these proceedings great partiality appeared ; for when in some cases corruption was proved clearly against some of the tory party, and but doubtfully against some of the contrary side, that, which was voted corruption in the latter, was called the giving alms in those of the former sort. Thus, for some weeks, the house seemed to have forgotten all the concerns of Europe, and was wholly employed in the weakening of one side, and in fortifying the other. To make some show of zeal for the public safety, they voted thirty thousand men for the fleet ; but they would allow no marines, though they were told that a fleet without these was only a good security for our own defence, but could have no influence on the affairs of Europe, either to frighten, or to encourage those abroad ; such a fleet, as it could not offend, so it was much too strong if it was intended only for a defence, and it looked like a needless wasting the treasure of the nation to employ so much of it to so little purpose, and only to make a show.

While the house of commons was going on, minding only party matters, a design was laid in the house of lords to attack the Partition Treaty, and some of those who were concerned in it. They began with an address to the king, that he would order all the treaties made since the peace of Ryswick, to be laid before them. This was complied with so slowly, that they were not brought to the house till the 26th of February, and no notice was taken of them till the 10th of March. It soon appeared that this was done by a French direction. The court of France (perceiving that the Dutch were alarmed at their neighbourhood, and were increasing their force, both by sea and land, and were calling upon their allies to furnish their quotas, which they were bound by treaties to send to their defence) entered upon a negotiation with them at the Hague, to try what would lay these fears. Upon this, in the beginning of March, the States, in conjunction with Mr. Stanhope, the English envoy at the Hague, gave in memorials, in which they insisted on the violation of the Partition Treaty, and particularly on the French possessing themselves of the Spanish Netherlands; they also desired, that the emperor might have just satisfaction in his pretensions, and that in the mean while, Luxemburg, Namur, Mons, and Ath, might be put in their hands; and Ostend and Newport into the hands of the English, and both they and the Dutch might have a free trade, as before, to all the Spanish dominions. The French seeing these demands run so high, and being resolved to offer no other security for the peace of Europe, but the renewing the treaty of Ryswick, set all their engines at work in England, to involve us into such contentions at home as should both disable us from taking any care of foreign affairs, and make the rest of Europe conclude, that nothing considerable was to be expected from England. As soon as the news of those memorials could come to England, the marquis of Normanby and the rest of the tories took up the debate concerning the Partition Treaty; this they managed with great dexterity, while the matter was as much neglected by the king, who went that day to Hampton-court, where he stayed some time; by this means, no directions were given, and we were involved in great difficulties before the court was aware of it; the king either could not prevail with his new ministers, to excuse the treaty, if they would not justify it, or he neglected them so far, as not to speak to them at all about it. Those who attacked it, said, they meant nothing in that but to offer the king advices for the future, to prevent such errors as had been committed in that treaty, both as to matter and form. They blamed the giving such territories to the crown of France, and the forsaking the emperor; they also complained of the secrecy in which the treaty was carried on, it not being communicated to the English council, or ministry, but privately transacted by the earls of Portland and Jersey: they also blamed the putting the great seal, first to blank powers, and then to the treaty itself, which, the king's new ministers said, was unjust in the contrivance and ridiculous in the execution. To all this, it was answered, that there not being a force ready and sufficient to hinder the French from possessing themselves of the Spanish monarchy, which they were prepared for, the emperor had desired the king to enter into a treaty of partition, and had consented to every article of it, except that which related to the duchy of Milan; but the king, not thinking that worth the engaging in a new war, had obtained an exchange of it for the duchy of Lorrain: the emperor did not agree to this, yet he pressed the king not to break off the treaty, but to get the best terms he could for him, and above all things, he recommended secrecy, that so he might not lose his interest in Spain, by seeming to consent to this partition. It is certain that, by our constitution, all foreign negotiations were trusted entirely to the crown; that the king was under no obligation by law, to communicate such secrets to his council, or to hear, much less was he obliged to follow, their advices: in particular it was said, that the keeper of the great seal had no sort of authority to deny the putting it, either to powers for a treaty, or to any treaty which the king should agree to; the law gives no direction in such matters, and he could not refuse to put the great seal to any thing, for which he had an order from the king, unless the matter was contrary to law, which had made no provision in this case: they insisted most, on the other side, upon the concluding a treaty of this importance, without communicating it first to the privy council; so the first day of the debate ended with this.

The earl of Portland apprehending that this might fall too heavy on him, got the king's leave to communicate the whole matter next day to the house; so he told them that he had

not concluded the treaty alone, but had, by the king's order, acquainted six of his chief ministers with it, who were, the earls of Pembroke and Marlborough, the viscount Lonsdale, the lords Somers and Halifax, and secretary Vernon; upon which those lords, being likewise freed by the king from the oath of secrecy, told the house, that the earl of Jersey, having in the king's name called them together, the treaty was read to them, and that they excepted to several things in it, but they were told that the king had carried the matter as far as was possible, and that he could obtain no better terms: so when they were told, that no alterations could be made, but that every thing was settled, they gave over insisting on particulars; they only advised that the king might not engage himself in any thing that would bring on a new war, since the nation had been so uneasy under the last. This was carried to the king, and a few days after that, he told some of them that he was made acquainted with their exceptions, but how reasonable soever they were, he had driven the matter as far as he could: the earl of Pembroke said to the house of lords, he had offered the king those advices that he thought were most for his service, and for the good of the nation; but that he did not think himself bound to give an account of that to any other persons: he was not the man struck at, so there was nothing said, either against him, or the earls of Marlborough or Jersey; upon this the debate went on; some said this was a mockery to ask advice when there was no room for it: it was answered, the king had asked the advice of his privy council, and they had given it; but that such was the regal prerogative, that it was still free to him to follow it or not, as he saw cause.

In conclusion, the house of lords resolved to set out this whole matter in an address to the king, complaining both of the Partition Treaty, and of the method in which it had been carried on: the lord Wharton moved an addition to the address, that, whereas the French king had broken that treaty, they should advise the king to treat no more with him, or rely on his word without further security: this was much opposed by all those who were against the engaging in a new war; they said all motions of that kind ought to come from the house of commons, who only could support such an advice, that did upon the matter engage us into a new war; nor would they lay any blame on the breaking of a treaty which they were resolved to condemn; they also excepted to the words "further security" as ambiguous; yet the majority of the house agreed to it; for there was such treachery in the French negotiations, that they could not be relied on without a good guarantee and the pledge of some strong places. It now plainly appeared, that the design was, to set on the house of commons to impeach some of the lords who had been concerned in the Partition Treaty, for it was moved to send the address to the house of commons for their concurrence; but that was not carried. The king seemed to bear all this with his usual coldness; and the new ministers continued still in his confidence, but he laid the matter much to heart; now he saw the error he had fallen into by the change he had made in the ministry: it was plain they resolved to govern him in every thing, and not to be governed by him in any one thing.

As soon as this was over, the earl of Jersey did, by the king's order, bring to the house of lords the memorials that had been given in at the Hague, and then by comparing dates, it was easy to conjecture why the Partition Treaty had been let lie so long on the table, and it seemed as if it was taken up at last only to blast this negotiation; a French management appearing very plainly in the whole steps that had been made. The house of commons began, at the same time, not only to complain of the Partition Treaty, but likewise of the demand of Ostend and Newport, nor would they show any concern for the emperor's pretensions; the Dutch demanded the execution of the treaty that king Charles had made with them, in the year 1677, by which England was bound to assist them with ten thousand men and twenty ships of war, if they were attacked; some endeavoured all that was possible to put this off for the present, pretending that they were not yet attacked; others moved that the pay of ten thousand men might be given to them, with the twenty ships, as a full equivalent to the treaty; yet they not liking this, it was in conclusion agreed to send the ten thousand men; five thousand of these were to be drawn out of the army in Ireland, and five thousand of them were to be new levied; but they took care that Ireland should not be provided with any new forces in their stead, so jealous were they of trusting the king with an army. The representation sent over by the States, setting forth the danger they were in, and desiring

the assistance of England, was penned with great spirit, and in a very moving strain: the house of lords did, upon a debate on that subject, make an address to the king to enter into leagues offensive and defensive with the emperor and other princes and States, who were interested against the conjunction of the French and Spanish monarchies; but the house of commons could not, upon this occasion, be carried further than to advise the king, to enter into such alliances as should be necessary for our common security, and for the peace of Europe. This coldness and uncertainty in our councils gave the French great advantages in their negotiations, both in Germany and in Portugal. They tried the courts of Italy, but without success; only the duke of Mantua consented that they should make a show, as if they had surprised him, and so force him to put Mantua in their hands: the pope and the Venetians would not declare themselves; the pope favoured the French, as the Venetians did the emperor, who began the war with a pretension on the duchy of Milan, as a fief of the empire that devolved on him; and he was making magazines, both in Tyrol and at Trent: the French seemed to despise all he could do, and did not apprehend that it was possible for him to march an army into Italy; both the king and the States pressed him to make that attempt. The elector of Bavaria, and some of the circles, had agreed to a neutrality this year; so there was no hope of doing much upon the Rhine, and the French were making the Italians feel what insolent masters they were likely to prove; so a general uneasiness among them, determined the emperor to send an army into Italy under the command of prince Eugene. England was all this while very unwilling to engage; yet for fear we should at last have seen our interest so clearly that we must have fallen into it, those who were practised on to embroil us, so that we might not be in a condition to mind foreign affairs, set on foot a design to impeach the former ministry.

The handle that brought this about was given by the earl of Portland; when he was excusing his own part in the Partition Treaty, he said, that having withdrawn himself from business, and being at his country-house in Holland, the king sent to him, desiring him to enter upon that negotiation; upon that he wrote to secretary Vernon \*, to ask his advice and the advice of his other friends, whether it was fit for him to meddle in that matter, since his being by birth a foreigner, seemed a just excuse for not engaging in a thing of such consequence: to this secretary Vernon answered, that all his friends thought he was a very proper person to be employed in that treaty, since he had known the progress of all those treaties, and the persons who were employed on that occasion; and he named the lord Somers among those who had advised this. The earl of Portland had mistaken this circumstance, which did not belong to the last partition treaty, but to that of the year before, in favour of the prince electoral of Bavaria. The house of commons hearing of this, required secretary Vernon to lay before them that letter, with his answer to it; for the earl of Portland said, that he had left all papers relating to that matter in Holland. Vernon said he had received no such letter in the year 1699; so that led them to enquire farther, and they required him to lay before them all the letters he had relating to both treaties: he said, those were the king's secrets, written in confidence by the persons he employed. But in such a case, a house of commons will not be put off; a denial rather raises in them more earnestness in following their point: it was said, the king had dispensed with the oath of secrecy when he ordered

\* James Vernon descended from a respectable family, seated at Haslington, in Cheshire. Early in life he was initiated in official business, being placed in the secretary of state's office. Afterwards he enjoyed the duke of Shrewsbury's entire confidence as his private secretary, and under secretary of state. There are three quarto volumes of his letters to this nobleman in the possession of the Buccleugh family. When lords justices presided during the absence of king William, he acted as secretary of state, and in 1697, upon sir W. Trumbull's resignation, he was permanently appointed to this office. Upon queen Anne's accession, he made way for the earl of Nottingham, but was appointed to the sinecure of teller of the exchequer. He died in 1727, aged eighty-three, and is buried at Watford, in Hertfordshire. In Mackay's "Characters of the Court of Great Britain," a contem-

porary work, said to have been written by a Mr. Davis, an officer of the customs, he is thus mentioned. "No man understands all parts of that great office (of secretary) better than he, nor could manage it with more prudence at so intricate a time as the last two years of his administration. He is indefatigable in business, and may be called a *drudge* in office. An ill wife hath much soured his temper, which makes him rougher in business than could be expected from one of his sense and experience; but that roughness is attended with so much candour, and is distributed equally to all who have business with him, that makes it easier borne. Never any secretary wrote so many letters with his own hand, or in a better style."—Clarendon Correspondence; Shrewsbury Correspondence.

all matters to be laid before them, and they would admit of no excuse. Vernon upon this went to the king, and told him, since these were his secrets, he was ready to expose himself to the indignation of the house, and to refuse to show his letters: but the king said, his refusing to do it would not only raise a storm against himself, from which the king could not protect him, but it would occasion an address to the king, to order him to lay every thing before the house, which in the state that things were in then, he could not deny: Vernon, upon these orders given him, at two different times, carried all the letters, and laid them before the house of commons: it appeared by these, that he had communicated the treaty to the king's ministers, who were in town, about the end of August, 1698: that lord Somers being then at Tunbridge, he went to him, and that he had communicated the project, both to the earl of Orford and the lord Halifax; several objections were made by them to many parts of the treaty, which were mentioned in Vernon's letters, but, if better terms could not be had, they thought it was better to conclude the treaty, than to leave the Spanish monarchy to be overrun by France, or to involve Europe in a new war. Lord Somers had also put the seals to blank powers for concluding this treaty. When all this was read, those who were set on to blow up the flame, moved the house to impeach some of the ministers who had been concerned in this transaction; yet in this they proceeded with so visible a partiality, that though the earl of Jersey had signed the treaty, had been plenipotentiary at Ryswick, ambassador in France, and secretary of state, while the Partition Treaty was negotiating; yet he, having joined himself to the new ministry, was not questioned about it: the party said, he had been too easily drawn into it, but that he was not in the secret, and had no share in the councils that projected it.

On the first of April, the house of commons brought up a general impeachment of the earl of Portland, for high crimes and misdemeanors; but the chief design was against the earl of Orford, and the lords Somers and Halifax. Their enemies tried again what use could be made of Kid's business, for he was taken in our northern plantations in America, and brought over: he was examined by the house, but either he could not lay a probable story together, or some remnants of honesty raised in him by the near prospect of death, restrained him; he accused no person of having advised, or encouraged, his turning pirate; he had never talked alone with any of the lords, and never at all with lord Somers; he said he had no orders from them, but to pursue his voyage against the pirates in Madagascar. All endeavours were used to persuade him to accuse the lords; he was assured that, if he did it, he should be preserved; and if he did it not, he should certainly die for his piracy; yet this could not prevail on him to charge them: so he, with some of his crew, were hanged, there appearing not so much as a colour to fasten any imputation on those lords; yet their enemies tried what use could be made of the grant of all that Kid might recover from the pirates, which some bold and ignorant lawyers affirmed to be against law \*. So this matter was for the fourth time debated in the house of commons, and the behaviour of those peers in it appeared to be so innocent, so legal, and, in truth, so meritorious, that it was again let fall. The insisting so much on it served to convince all people, that the enemies of these lords wanted not inclinations, but only matter to charge them, since they made so much use of this: but so partial was a great part of the house, that the dropping this was carried only by a small majority: when one design failed, another was set up.

It was pretended, that by secretary Vernon's letters it was clearly proved, that the lord Somers had consented to the Partition Treaty; so a debate coming on concerning that, lord Somers desired that he might be admitted to give an account of his share in it to the house of commons; some opposition was made to this, but it had been always granted, so it could not be denied him: he had obtained the king's leave to tell every thing; so that when he appeared before the house, he told them, the king had written to him, that the state of the king of Spain's health was desperate, and that he saw no way to prevent a new war, but to accept of the proposition the French made for a partition; the king sent him the scheme of this, and ordered him to communicate it to some others, and to give him both his own opinion, and theirs, concerning it, and to send him over powers for a treaty, but in the most

\* Queen Anne gave Kid's property, amounting to 6472*l.*, to Greenwich Hospital.—Noble's Continuation of Grainger.

secret manner that was possible ; yet the king added, that, if he and his other ministers thought that a treaty ought not to be made upon such a project, then the whole matter must be let fall, for he could not bring the French to better terms. Lord Somers upon this said, that he thought it was the taking too much upon himself, if he should have put a stop to a treaty of such consequence : if the king of Spain had died before it was finished, and the blame had been cast on him for not sending the necessary powers, because he was not ordered to do it by a warrant in full form, he could not have justified that, since the king's letter was really a warrant, and therefore he thought he was bound to send the powers that were called for, which he had done ; but at the same time he wrote his own opinion very fully to the king, objecting to many particulars, if there was room for it, and proposing several things, which, as he thought, were for the good and interest of England. Soon after the powers were sent over by him, the treaty was concluded, to which he put the great seal, as he thought he was bound to do : in this, as he was a privy councillor, he had offered the king his best advice ; and, as he was chancellor, he had executed his office according to his duty. As for putting the seal to the powers, he had done it upon the king's letter, which was a real warrant, though not a formal one. He had indeed desired, that a warrant in due form might be sent him for his own security ; but he did not think it became him to endanger the public only for want of a point of form, in so critical a time, where great dispatch was requisite. He spoke so fully and so clearly, that upon his withdrawing, it was believed, if the question had been quickly put, the whole matter had been soon at an end, and that the prosecution would have been let fall ; but his enemies drew out the debate to such a length, that the impression which his speech had made, was much worn out ; and the house sitting till it was past midnight, they at last carried it, by a majority of seven or eight, to impeach him and the earl of Orford and the lord Halifax of high crimes and misdemeanors : the general impeachment was brought up the next day to the lords' bar.

The commons were very sensible that those impeachments must come to nothing, and that they had not a majority in the house of lords to judge in them as they should direct ; so they resolved on a shorter way to fix a severe censure on the lords, whom they had thus impeached : they voted an address to the king for excluding them from his presence, and councils, for ever. This had never gone along with an impeachment before ; the house of commons had indeed begun such a practice in king Charles the Second's time : when they disliked a minister, but had not matter to ground an impeachment on, they had taken this method of making an address against him, but it was a new attempt to come with an address after an impeachment. This was punishing before trial, contrary to an indispensable rule of justice, of not judging before the parties were heard : the lords saw that this made their judicature ridiculous, when, in the first instance of an accusation, application was made to the king for a censure, and a very severe one ; since few misdemeanors could deserve a harder sentence. Upon these grounds, the lords prevented the commons, and sent some of their body to the king, with an address, praying him, that he would not proceed to any censure of these lords till they had undergone their trial. The king received these addresses, so contrary one to another, from both houses, but made no answer to either of them ; unless the letting the names of these lords continue still in the council books, might be taken as a refusing to grant what the commons had desired. They renewed their address, but had no direct answer from the king ; this, though a piece of common justice, was complained of, and it was said, that these lords had still great credit with the king : the commons had, for form's sake, ordered a committee to prepare articles of impeachment, but they intended to let the matter sleep ; thinking that, what they had already done had so marked those lords, that the king could not employ them any more, for that was the main thing they drove at.

While this was in agitation, a letter came to the king from the king of Spain, giving notice of his accession to that crown ; it was dated the day after he entered into Spain, but the date and the letter were visibly written at different times : the king ordered the letter to be read in the cabinet council ; there was some short debate concerning it, but it was never brought into any further deliberation there. The earl of Rochester saw the king seemed distrustful of him, and reserved to him in that matter, and was highly offended at it : he and the rest of the new ministry pressed the king to own the king of Spain, and to answer his

letter ; and since the Dutch had done it, it seemed reasonable that the king should likewise do it : they prevailed at last, but with much difficulty ; the thing was kept secret, and was not communicated to the privy council, or to the two houses, nor did the king speak of it to any of the foreign ministers : the Paris Gazette gave the world the first notice of it. This being carried in such a manner seemed the more strange, because his ministry had so lately condemned a former one, for not communicating the Partition Treaty to the council before it was concluded ; and yet had, in a matter of great consequence, so soon forgotten the censures they had thrown out so liberally upon the secrecy with which that matter had been transacted. While things were moving in such a slow, and uncertain, pace in England, the Dutch had daily new alarms brought them, of the forces that the French were pouring into their neighbourhood ; into the Spanish Guelder on the one hand, and into Antwerp on the other ; so that they were apprehensive of a design both upon Nimeguen, and Bergen-op-zoom : they took the best care they could to secure their frontier : the negotiations went on slowly at the Hague ; the French rejected all their demands, and offered nothing but to renew the peace of Ryswick : this the Dutch laid again before the king, in a very awakening strain ; and he sent all to the house of commons, but they could not be brought to declare that the offers made by the French were not sufficient. D'Avaux, seeing this coldness in our counsels, refused to treat any more with the Dutch, in conjunction with the envoy of England, and said his powers directed him only to them : this put a full stop to all further treaty ; for the States said, they were engaged in such a close conjunction with England, that they could not enter on a separate treaty. In the mean while they armed powerfully ; and our fleet, in conjunction with theirs, were masters of the sea ; but for want of marines, they were in no condition to make any impression on the enemy. The emperor went on with his preparation for a campaign in Italy : the French sent an army into the Milanese, that they reckoned would be much superior to any force the emperor could send thither : the duke of Savoy was engaged in the interest of France by king Philip's marrying his second daughter : the pope still refused to give the investiture of Naples, or to accept the annual present, for he would not quite break with the emperor.

The French practices were every where the more prevalent, because they gave out that England would not engage in a war, and the face of our affairs looked but dark at home. The emperor's ministers had an uneasy time among us ; the king encouraged them, but the new ministers were scarcely civil to them, and studied to put them quite out of hope. The king of Denmark entered into a treaty with the emperor and the States. Great pains were taken to mediate a peace between Sweden and Poland. The court of France, as well as that of Vienna, tried it ; both sides hoping that Sweden, if not Poland, might enter into their interests : the French reckoned that Denmark and Sweden could never be on the same side ; so, when they found they could not gain Denmark, they tried a mediation, hoping to get Sweden into an alliance with them, but all attempts for a mediation proved unsuccessful. The diet of Poland was put off, and their king, being delivered from them, resolved to carry on the war. The Spaniards, and the subjects of their other dominions, began to feel the insolence of the French very sensibly ; but nothing was more uneasy to them than the new regulations they were endeavouring to bring in, to lessen the expense of the court of Spain. So they seemed well disposed to entertain a new pretender.

While all these things were in a ferment all Europe over, the declaring a protestant successor, after the princess and such issue as she might have, seemed to be forgotten by our parliament, though the king had begun his speech with it. The new ministers spoke of it with much zeal ; from this their friends made inferences in their favour, that certainly men, in the interests of France, would not promote a design so destructive of all they drove at. This was so little of a piece with the rest of their conduct, that those who were still jealous of their sincerity looked on it as a blind, to cover their ill designs, and to gain them some credit ; for they could not but see that if France was once possessed of the power and wealth of Spain, our laws, and every thing that we could do to support them, would prove but feeble defences. The manner in which this motion of the succession was managed did not carry in it great marks of sincerity : it was often put off from one day to another, and it gave place to the most trifling matters. At last, when a day was solemnly set for it, and

all people expected that it should pass without any difficulty, Harley moved that some things previous to that might be first considered. He observed that the haste the nation was in, when the present government was settled, had made us go too fast and overlook many securities, which might have prevented much mischief, and therefore he hoped they would not now fall into the same error. Nothing pressed them at present, so he moved they would settle some conditions of government, as preliminaries, before they should proceed to the nomination of the person ; that so we might fix every thing that was wanting to make our security complete. This was popular and took with many, and it had so fair an appearance that indeed none could oppose it ; some weeks were spent upon it. Suspicious people thought this was done on design to blast the motion, and to offer such extravagant limitations as should quite change the form of our government, and render the crown titular and precarious. The king was alarmed at it, for almost every particular that was proposed implied a reflection on him and his administration, chiefly that of not employing strangers, and not going too often out of the kingdom : it was proposed that every thing should be done with the advice of the privy council, and every privy councillor was to sign his advice. All men who had places or pensions were made incapable of sitting in the house of commons. All this was unacceptable to the king, so, many who had an ill opinion of the design of those who were now at the helm, began to conclude that the delays were affected, and that these limitations were designed to raise disputes between the two houses, by which the bill might be lost. When some time had been spent in those preliminaries, it came to the nomination of the person. Sir John Bowles, who was then disordered in his senses, and soon after quite lost them, was set on by the party to be the first that should name the electoress dowager of Brunswick, which seemed done to make it less serious when moved by such a person : he was, by the forms of the house, put in the chair of the committee, to whom the bill was committed. The thing was still put off for many weeks ; at every time that it was called for, the motion was entertained with coldness, which served to heighten the jealousy : the committee once or twice sat upon it, but all the members ran out of the house with so much indecency, that the contrivers seemed ashamed of this management : there were seldom fifty or sixty at the committee : yet in conclusion it passed, and was sent up to the lords, where we expected great opposition would be made to it : some imagined the act was only an artifice, designed to gain credit to those who, at this time, were so ill thought of over the nation, that they wanted some colourable thing to excuse their other proceedings. Many of the lords absented themselves on design. Some little opposition was made by the marquis of Normanby\* ; and four lords, the earls of Huntington and Plymouth and the lords Guilford and Jefferies, protested against it. Those who wished well to the act were glad to have it passed any way, and so would not examine the limitations that were in it : they thought it

\* Of the public career of John Sheffield, successively known by the titles of earl Mulgrave, marquis Normanby, and duke of Buckinghamshire, little need be said in addition to that which is scattered through the pages of Burnet. He was born in 1649, the son of Edmund, earl of Mulgrave. His youth is remarkable for an effort, which Dr. Johnson justly observes "delights as it is strange, and instructs as it is real." His father dying while he was a child, he was placed under so distasteful a tutor, that, although only twelve years old, he resolved to educate himself. "His literary acquisitions are more wonderful, as those years in which they are commonly made were spent by him in the tumult of a military life, or the gaiety of a court." He served against the Dutch, in the fleet commanded by prince Rupert and the duke of Albemarle ; had the command of a troop of horse, and received a summons to parliament when but eighteen ; but this being censured by the duke of Newcastle as improper, his objection was successful. He opposed the duke of Monmouth, and was recompensed with the lieutenancy of Yorkshire, and the governorship of Hull. In 1680 he successfully conducted an expedition for the relief of Tangier. On the succession of James he was made lord chamberlain : yet, at the revolution, he submitted to king

William, though he did not invite him over. It was proposed that he should be asked to sign the invitation, but the earl of Shrewsbury opposed it, on the ground that Mulgrave would never concur. William asked him what he would have done, if the proposal had been made ? To which he replied, "Sir, I would have discovered it to the king whom I then served." William answered, "I cannot blame you." After queen Anne's death he was a fixed opponent of the court ; and, having no public employment, is supposed to have amused himself by writing his two tragedies. He died in 1721. In early life, it is said, he presumed to address princess Anne as a lover ; but, subsequently, courted and married three widows. In Mackay's "Characters," he is described as "a nobleman of learning and good natural parts, but of no principles. Violent for the high church, yet seldom goes to it ; very proud, insolent, and covetous, and takes all advantages. In paying his debts, unwilling ; and is neither esteemed nor beloved." He is said, however, to have had much tenderness, and to have been very ready to apologize for his violences of passion.—(Johnson's Lives of the Poets ; Clarendon Correspondence.) He was the builder of Buckingham house, now the royal palace, at Pimlico.

of great importance to carry the act, and that at another time those limitations might be better considered: so the act passed, and the king sent it over by the earl of Macclesfield to the electress, together with the garter to the elector. We reckoned it a great point carried that we had now a law on our side for a protestant successor; for we plainly saw a great party formed against it, in favour of the pretended prince of Wales. He was now past thirteen, bred up with a hatred both of our religion and our constitution, in an admiration of the French government; and yet many who called themselves protestants seemed fond of such a successor: a degree of infatuation that might justly amaze all who observed it, and saw the fury with which it was promoted.

Another very good act passed this session, concerning the privilege of parliament. Peers had, by law or custom, a privilege for themselves and their servants during the session, and at least twenty days before and after. Of late they have reckoned forty days before and after, in which neither they nor their servants could be sued in any court, unless for treason, felony, or breach of the peace: the house of commons had also possessed themselves of the same privilege; but with this difference, that the lords pretended theirs was a right not subject to the order of the house of lords; whereas the commons held that their privilege was subject to the authority of their house. Of late years, sessions were long and continued by intermediate prorogations, so that the whole year round was a time of privilege: this made a great obstruction in the course of justice, and none who were so protected could be sued for debt. The abuse was carried further by the protections which some lords gave, or rather sold, to persons who were no way concerned in their affairs; but when they needed this shelter, they had a pretended office given them, that was a bar to all arrests. After many fruitless attempts to regulate these abuses, a bill was brought into the house of commons that took away all privilege against legal prosecutions in intermediate prorogations; and did so regulate it during the sitting of parliament, that an effectual remedy was provided for a grievance that had been long and much complained of. These were the only popular things that were done by this parliament, the rest of their proceedings showed both the madness and fury of parties.

The impeachments lay long neglected in the house of commons, and probably they would have been let sleep, if the lords concerned had not moved for a trial: on their motion, messages were sent to the commons to quicken their proceedings. At last, articles were framed and brought up, first, against the earl of Orford: he was charged for taking great grants from the king. Kid's business was objected to him. He was also charged for abuses in managing the fleet, and virtualling it, when it lay on the coast of Spain, and for some orders he had given, during his command; and, in conclusion, for his advising the Partition Treaty. And, in setting this out, the commons urged that the king, by the alliance made with the emperor in the year 1689, was bound to maintain his succession to the crown of Spain, which they said was still in force: so the Partition Treaty was a breach of faith, contrary to that alliance, and this passed current in the house of commons, without any debate or enquiry into it; for everything was acceptable there that loaded that treaty and these lords: but they did not consider, that by this they declared they thought the king was bound to maintain the emperor's right to that succession; yet this was not intended by those who managed the party, who had not hitherto given any countenance to the emperor's pretensions. So apt are parties to make use of any thing that may serve a turn, without considering the consequences of it.

The earl of Orford put in his answer in four days. He said he had no grant of the king, but a reversion at a great distance, and a gift of ten thousand pounds, after he had defeated the French at La Hogue, which he thought he might lawfully accept of, as all others before him had done: he opened Kid's matter, in which he had acted legally, with good intentions to the public, and to his own loss: his accounts, while he commanded the fleet, had been all examined and were passed; but he was ready to waive that, and to justify himself in every particular, and he denied his having given any advice about the Partition Treaty: this was immediately sent down to the commons; but they let it lie before them without coming to a replication; which is only a piece of form by which they undertake to make good their charge.

Articles were next sent up against the lord Somers. In these, the two Partition Treaties were copiously set forth, and it was laid down for a foundation, that the king was bound to maintain the emperor's right of succession to the crown of Spain. Lord Somers was charged for setting the seals, first to the powers, and then to the treaties themselves: he was also charged for accepting some grants; and the manner of taking them was represented as fraudulent, he seeming to buy them of the king, and then getting himself discharged of the price contracted for. Kid's business was also mentioned, and dilatory and partial proceedings in chancery were objected to him. He put in his answer in a very few days: in the Partition Treaty, he said, he had offered the king very faithful advice as a councillor, and had acted according to the duty of his post as chancellor; so he had nothing more to answer for: as for his grants, the king designed him a grant to such a value; the king was not deceived in the value; the manner of passing it was according to the usual methods of the treasury, in order to make a grant sure, and out of the danger of being avoided. Kid's business was opened as was formerly set forth; and, as to the court of chancery, he had applied himself wholly to the dispatch of business in it, with little regard to his own health or quiet, and had acted according to the best of his judgment, without fear or favour. This was presently sent down to the house of commons, and upon that they were at a full stand: they framed no articles against the earl of Portland, which was represented to the king as an expression of their respect to him.

Some time after this, near the end of the session, they sent up articles against the lord Halifax, which I mention here that I may end this matter all at once. They charged him for a grant that he had in Ireland, and that he had not paid in the produce of it, as the act concerning those grants had enacted: they charged him for another grant, out of the forest of Dean, to the waste of the timber and prejudice of the navy of England: they charged him for holding places that were incompatible, being at the same time both a commissioner of the treasury and auditor of the exchequer: and, in conclusion, he was charged for advising the two Partition Treaties. He was as quick with his answer as the other lords had been. He said, his grant in Ireland was of some debts and sums of money, and so was not thought to be within the act concerning confiscated estates. All he had ever received of it was 400*l.* If he was bound to repay it, he was liable to an action for it; but every man was not to be impeached who did not pay his debts at the day of payment. His grant in the forest of Dean was only of the weedings; so it could be no waste of timber, nor a prejudice to the navy: the auditor's place was held by another, till he obtained the king's leave to withdraw from the treasury: as for the first Partition Treaty, he never once saw it, nor was he ever advised with in it: as for the second, he gave his advice very freely about it, at the single time in which he had ever heard any thing concerning it. This was sent down to the commons, but was never so much as once read by them. When, by these articles, and the answers to them, it appeared, that after all the noise and clamour that had been raised against the former ministry (more particularly against the lord Halifax) for the great waste of treasure during their administration, that now, upon the strictest search, all ended in such poor accusations; it turned the minds of many that had been formerly prejudiced against them. It appeared that it was the animosity of a party at best, if it was not a French practice, to ruin men who had served the king faithfully, and to discourage others from engaging themselves so far in his interests as these lords had done. They saw the effect that must follow on this; and that the king could not enter upon a new war, if they could discourage from his service all the men of lively and active tempers, that would raise a spirit in the nation for supporting such an important and dangerous war, as this now in prospect was likely to prove.

This gave a general disgust to all England, more particularly to the city of London, where foreign affairs and the interest of trade were generally better understood. The old East India company, though they hated the ministry that set up the new, and studied to support this house of commons, from whom they expected much favour; yet they, as well as the rest of the city, saw visibly that first the ruin of trade, and then, as a consequence of that, the ruin of the nation must certainly ensue, if France and Spain were once firmly united: so they began openly to condemn the proceedings of the commons, and to own a

jealousy, that the Louis-d'Or sent hither of late had not come over to England for nothing. This disposition to blame the slowness in which the house of commons proceeded with relation to foreign affairs, and the heat with which private quarrels were pursued, began to spread itself through the whole nation. Those of the county of Kent sent up a petition to the house, desiring them to mind the public more and their private heats less, and to turn their addresses to the king to bills of supplies, to enable him both to protect the nation and to defend our allies. This was brought up by some persons of quality, and was presented by them to the house: but it was looked on as a libel on their proceedings; and the gentlemen who brought it up were sent to prison, where they lay till the prorogation; but they were much visited, and treated as confessors\*. This was highly censured: it was said the commons were the creatures of the people, and upon all other occasions they used to favour and encourage petitions: this severity was condemned therefore as unnatural, and without a precedent: it was much questioned, whether they had really an authority to imprison any except their own members, or such as had violated the privilege of their house: but the party thought it was convenient, by such an unusual severity, to discourage others from following the example set them by those of Kent; for a design was laid to get addresses of the same nature from all parts of the kingdom, chiefly from the city of London. The ministers represented to the king what an indignity this would be to the house of commons; and that, if he did not discourage it, he might look for unacceptable things from them. It might rather discourage than give heart to our allies, if they should see such a disjoining, and both city and country in an opposition to the house of commons. Some went, in his name, to the eminent men of the city to divert it, yet with all this it came so near for such an address in a common council, that the lord mayor's vote turned it for the negative, so that fell. But a disposition to a war, and to a more hearty concurrence with the king, appeared to be the general sense of the nation, and this had a great effect on the house of commons: they began to talk of a war as unavoidable; and when the session drew near an end, they, by an address, desired the king to enter into such alliances with the emperor, and other states and princes, as were necessary for the support of us and our allies, and to bring down the exorbitant power of France. This was opposed with great zeal by those who were looked on as the chief conductors of the jacobite party, though many, who had in other things gone along with them, thought this was the only means that were left to recover their credit with the people; for the current ran so strong for a war, that those who struggled against it, were looked on as little better than public enemies. They had found good funds for a million and a half. It is true one of these was very unacceptable to the king: it was observed that the allotment for the civil list did far exceed the sum that was designed, which was only 600,000*l.*, and that as king James's queen would not take her jointure, so, by the duke of Gloucester's death, the charge on it was now less than when it was granted: so they took almost 4000*l.* a-week out of the excise, and, upon an assignation made of that for some years, a great sum was raised. This was very sensible to the court, and the new ministers found it no easy thing to maintain, at the same time, their interest both with the king and their party: this matter was at last yielded to by the king. All the remainder of this session relates to the impeachments.

The lords had resolved to begin with the trial of the earl of Orford, because the articles against him were the first that were brought up; and since the commons made no replication, the lords, according to clear precedents, named a day for his trial, and gave notice of it to the house of commons. Upon this, the commons moved the lords to agree to name a committee of both houses for settling the preliminaries of the trial, and they named two preliminaries: one was, that the lord who was to be tried should not sit as a peer; the other was, that those lords who were impeached for the same matter, might not vote in the trial of one another: they also acquainted the lords that the course of their evidence led them to begin with the lord Somers. The lords judged their last demand reasonable, and

\* The imprisoned "Kentish Petitioners" were Justinian Champneys, of Westhanger; sir Thomas Culpepper, knight, of Preston Hall, Aylesford; William Culpepper, esq., of Hollingborne; James Hamilton, esq., of Chilston;

and David Polhill, esq., of Cheapsted; all in the county of Kent.—See Hist. of the Kentish Petition, published in 1701; Noble's Continuation of Grainger.

agreed to it, but disagreed to the others. They considered themselves as a court of justice, and how great soever the regard due to the house of commons might be in all other respects, yet in matters of justice, where they were the accusers, they could only be considered as parties. The king, when he had a suit with a subject, submitted to the equality of justice; so the commons ought to pretend to no advantage over a single person in a trial: a court of justice ought to hear the demands of both parties pleaded fairly, and then to judge impartially: a committee named by one of the parties, to sit in an equality with the judges, and to settle matters relating to the trial, was a thing practised in no court or nation, and seemed contrary to the principles of law, or rules of justice: by these means they could at least delay trials as long as they pleased, and all delays of justice are real and great injustices. This had never been demanded but once, in the case of the popish plot; then it was often refused: it is true it was at last yielded to by the lords, though with great opposition; that was a case of treason, in which the king's life and the safety of the nation were concerned; there was then a great jealousy of the court, and of the lords that belonged to it; and the nation was in so great a ferment, that the lords might at that time yield to such a motion, though it derogated from their judicature: that ought not to be set up for a precedent for a quiet time, and in a case pretended to be no more than a misdemeanor: so the lords resolved not to admit of this, but to hear whatsoever should be proposed by the commons, and to give them all just and reasonable satisfaction in it. The chief point in question, in the year 1679, was, how far the bishops might sit and vote in trials of treason; but without all dispute, they were to vote in trials for misdemeanors. It was also settled in the case of the lord Mordaunt, that a lord tried for a misdemeanor was to sit within the bar. In all other courts men tried for such offences came within the bar. This was stronger in the case of a peer, who, by his patent, had a seat in that house, from which nothing but a judgment of the house for some offence could remove him: they indeed found that, in king James the First's time, the earl of Middlesex, being accused of misdemeanors, was brought to the bar; but as that prosecution was violent, so there had been no later precedent of that kind to govern proceedings by it: there had been many since that time, and it had been settled, as a rule for future times, that peers tried for such offences were to sit within the bar. The other preliminary was, that peers, accused for the same offence, might not vote in the trials of the others: the lords found that a right of voting was so inherent in every peer in all causes, except where himself was a party, that it could not be taken from him but by a sentence of the house; a vote of the house could not deprive him of it: otherwise, a majority might upon any pretence deny some peers their right of voting, and the commons, by impeaching many peers at once for the same offence, might exclude as many lords as they pleased from judging: it was also observed that a man might be a judge in any cause in which he might be a witness: and it was a common practice to bring persons charged with the same offence, if they were not in the same indictment, to witness the facts with which they themselves were charged in another indictment; and a parity of reason appeared in the case of lords, who were charged in different impeachments, for the same facts, that they might be judges in one another's trials. Upon these points many messages passed between the two houses with so much precipitation, that it was not easy to distinguish between the answers and the replies: the commons still kept off the trial by affected delays. It was visible, that when a trial should come on, they had nothing to charge these lords with: so the leaders of the party showed their skill in finding out excuses to keep up the clamour, and to hinder the matters from being brought to an issue: the main point that was still insisted on was a committee of both houses; so, according to the forms of the house, it was brought to a free conference.

In it the lord Haversham, speaking to the point of lords being partial in their own cases, and therefore not proper judges, said that the house of commons had plainly showed their partiality in impeaching some lords for facts in which others were equally concerned with them, who yet were not impeached by them, though they were still in credit and about the king; which showed that they thought neither the one nor the other were guilty\*. The

\* Sir John Thompson, bart. was created baron of Haversham in 1696. He distinguished himself in the house of commons by his daring speeches. He voted for the exclusion bill, and in favour of the revolution. In

commons thought that they had now found an occasion of quarrelling with the lords, which they were looking for: so they immediately withdrew from the conference, though they were told that the lord Haversham spoke only his own private sense, and not by any direction from the house. The house of commons sent up a complaint to the lords of this reflection on their proceedings, as an indignity done them, for which they expected reparation: upon this the lord Haversham offered himself to a trial, and submitted to any censure that the lords should think he had deserved; but insisted that the words must first be proved, and he must be allowed to put his own sense on them: the lords sent this to the commons, but they seemed to think that the lords ought to have proceeded to censure him in a summary way, which the lords thought, being a court of judicature, they could not do till the words were proved, and the importance of them discussed.

The house of commons had now got a pretence to justify their not going further in these trials, and they resolved to insist upon it: they said they could expect no justice, and therefore they could not go on with the prosecutions of their impeachments: and a day being set for the lord Somers's trial, they excepting still, it was put off for some time; at last a peremptory day was fixed for it; but the commons refused to appear, and said they were the only judges, when they were ready with their evidence, and that it was a mockery to go to a trial when they were not ready to appear at it. There were great and long debates upon this in the house of lords: the new ministry and all the jacobites joined to support the pretensions of the commons: every step was to be made by a vote, against which many lords protested; and the reasons given, in some of their protestations, were thought to be so injurious to the house, that they were by a vote ordered to be expunged; a thing that seldom happens. When the day set for the trial came, the other lords, who were also impeached, asked the leave of the house to withdraw, and not to sit and vote in it: this was granted them, though it was much opposed and protested against by the tory party, because the giving such leave supposed that they had a right to vote. The lords went down in form to Westminster Hall, where the articles against the lord Somers were first read; lord Somers's answers were next read; and none appearing to make good the charge, the lords came back to their house, where they had a long and warm debate of many hours, concerning the question that was to be put; the judges told them that, according to the forms of law, it ought to be guilty, or not guilty: but those of the party said, as it was certain that none could vote him guilty, so, since the house of commons had not come to make good the charge, they could not vote him not guilty: so, to give them some content, the question agreed on to be put was, whether he ought to be acquitted of the impeachment, or not? That being settled, the lords went again to the Hall, and, the question being put, fifty-six voted in the affirmative, and thirty-one in the negative. Upon this, the house of commons passed some high votes against the lords, as having denied them justice, and having obstructed the public proceedings; and called the trial a pretended trial. The lords went as high in their votes against the commons; and each house ordered a narrative of the proceedings to be published for satisfying the nation. A few days after this the earl of Orford's trial came on, but, all the lords of the other side withdrawing, there was no dispute; so he was acquitted by an unanimous vote. The lords did also acquit both the earl of Portland and the lord Halifax; and because the commons had never insisted on their prosecution of the duke of Leeds, which they had begun some years before, they likewise acquitted him, and so this contentious session came to an end. The two houses had gone so far in their votes against one another, that it was believed they would never meet again: the proceedings of the lords had the general approbation of the nation on their side: most of the bishops adhered to the impeached lords, and their behaviour on this occasion was much commended. I bore some share in those debates, perhaps more than became me, considering my station, and other circumstances: but as I was convinced of the innocence of the lords,

the house of lords he was the undaunted declarer of his opinions. One instance is mentioned above; and when opposing the union with Scotland, he compared it to "the toes of Nebuchadnezzar's idol, which were made of iron and clay: they may cleave together, but they can never

incorporate." He was an acknowledged republican in politics, and, though a dissenter in religion, often acted with the tories and high church party. He died in 1710, and was buried in the church of Richmond, Surrey.—Noble's Continuation of Grainger; Extinct Peerage, &c.

so I thought the government itself was struck at ; and therefore, when I apprehended all was in danger, I was willing to venture every thing in such a quarrel. The violence, as well as the folly, of the party, lost them much ground with all indifferent men ; but with none more than with the king himself, who found his error in changing his ministry at so critical a time ; and he now saw that the tories were at heart irreconcilable to him ; in particular, he was extremely uneasy with the earl of Rochester, of whose imperious and intractable temper he complained much, and seemed resolved to disengage himself quickly from him, and never to return to him any more. He thought the party was neither solid nor sincere, and that they were actuated by passion and revenge, without any views with relation to our quiet at home, or to our affairs abroad.

But having now given an account of the session of parliament, I turn to another scene. When the new ministry undertook to serve the king, one of their demands was, that a convocation should have leave to sit, which was promised ; and it sat this winter. Dr. Atterbury's book, concerning the rights of a convocation, was reprinted, with great corrections and additions. The first edition was drawn out of some imperfect and disorderly collections, and he himself soon saw that, notwithstanding the assurance and the virulence with which it was written, he had made many great mistakes in it : so, to prevent a discovery from other hands, he corrected his book in many important matters : yet he left a great deal of matter to those who answered him, and did it with such a superiority of argument and of knowledge in these matters, that his insolence in despising these answers was as extraordinary, as the parties adhering to him after such manifest discoveries. Dr. Kennet laid him so open, not only in many particulars, but in a thread of ignorance that ran through his whole book, that if he had not had a measure of confidence peculiar to himself, he must have been much humbled under it\*. The clergy hoped to recover many lost privileges by the help of his performances : they fancied they had a right to be a part of the parliament : so they looked on him as their champion, and on most of the bishops as the betrayers of the rights of the church : this was encouraged by the new ministry : they were displeased with the bishops for adhering to the old ministry ; and they hoped, by the terror of a convocation, to have forced them to apply to them for shelter. The jacobites intended to put us all in such a flame as they hoped would disorder the government. The things the convocation pretended to were, first, that they had a right to sit whensoever the parliament sat ; so that they could not be prorogued but when the two houses were prorogued : next, they advanced that they had no need of a licence to enter upon debates, and to prepare matters, though it was confessed that the practice for a hundred years was against them : but they thought the convocation lay under no farther restraint than that the parliament was under ; and as they could pass no act without the royal assent, so they confessed that they could not enact or publish a canon without the king's licence. Anciently the clergy granted their own subsidies apart, but ever since the reformation the grant of the convocation was not thought good till it was ratified in parliament : but the rule of subsidies being so high on the clergy, they had submitted to be taxed by the house of commons ever since the year 1665 ; though no memorials were left to inform us how that matter was consented to so generally, that no opposition of any sort was made to it. The giving of money being yielded up, which was the chief business of convocations, they had after that nothing to do ; so they sat only for form's sake, and were adjourned of course ; nor did they ever pretend, notwithstanding all the danger that religion was in during the former reigns, to sit and act as a synod ; but now this was demanded as a right, and they complained of their being so often prorogued as a violation of their constitution, for which all the bishops, but more particularly the archbishop of Canterbury, was cried out on : they said, that he and the bishops looked so much to their own interests, that they forgot the interests of the church, or rather betrayed them. The greater part of the clergy were in no good temper ; they hated the toleration, and were heavily charged with the taxes, which made them very uneasy ; and this disposed them to be soon inflamed by those who were seeking out all possible methods to disorder our affairs. They hoped to have engaged them against the supremacy, and reckoned that in the feeble state to which the government was

\* See the names of Kennet's works, and other authorities relating to this controversy, in Kippis's edition of the Biog. Britannica.

now brought, they might hope either to wrest it quite from the crown, and then it would fall into the management of the house of commons: or, if the king should proceed against them according to the statute, and sue them in a *premunire*, this might unite the clergy into such an opposition to the government as would probably throw us into great convulsions: but many aspiring men among them had no other design but to force themselves into ferment by the opposition they made. In the writ that the bishops had, summoning them to parliament, the clause, known by the first word of it, “*Premunientes*,” was still continued: at first, by virtue of it, the inferior clergy were required to come to parliament, and to consent to the aids there given: but after the archbishops had the provincial writ for a convocation of the province, the other was no more executed, though it was still kept in the writ, and there did not appear the least shadow of any use that had been made of it for some hundreds of years; yet now some bishops were prevailed on to execute this clause, and to summon the clergy by virtue of it. The convocation was opened with speeches full of sharp reflections on the bishops, which they passed over, being unwilling to begin a dispute.

Dr. Hooper, dean of Canterbury, was chosen prolocutor, a man of learning and good conduct hitherto; he was reserved, crafty, and ambitious; his deanery had not softened him, for he thought he deserved to be raised higher\*. The constant method of adjournments had been this; the archbishop signed a schedule for that purpose, by which the upper house was immediately adjourned, and that being sent down to the prolocutor, did also adjourn the lower house. The clergy perceiving that, by this means, the archbishop could adjourn them at pleasure, and either hinder or break off all debates, resolved to begin at disputing this point: and they brought a paper to the upper house, in which they asserted their right of adjourning themselves, and cited some precedents for it. To this the bishops drew a very copious answer, in which all their precedents were examined and answered, and the matter was so clearly stated and so fully proved, that we hoped we had put an end to the dispute. The lower house sat for some time about the reply to this; but, instead of going on with that, they desired a free conference, and began to affect, in all their proceedings, to follow the methods of the house of commons. The bishops resolved not to comply with this, which was wholly new. They had upon some occasions called up the lower house to a conference, in order to the explaining some things to them; but the clergy had never taken upon them to desire a conference with the bishops before: so they resolved not to admit of it, and told them they expected an answer to the paper they had sent them. The lower house resolved not to comply with this, but, on the contrary, to take no more notice of the archbishop's adjournments. They did indeed observe the rule of adjourning themselves to the day which the archbishop had appointed in his schedule, but they did it as their own act, and they adjourned themselves to intermediate days.

That they might express a zeal in the matters of religion, they resolved to proceed against some bad books. They began with one, entitled “*Christianity not mysterious*,” written by one Toland, a man of a bold and petulant wit, who passed for a *socinian*, but was believed

\* This is one of the most erroneous, party-biassed, characters Burnet has given. So far was he from being ambitious, that no persuasions could induce him to accept either of the metropolitan mitres; instead of being reserved, he was good-humoured, affable, witty, yet never offending against the rules of good manners, much less against those of piety. He was the patriarch of the diocese of Bath and Wells, to which queen Anne promoted him in 1704. To his clergy he showed all the kindness of a father; and many instances were known where he had raised the deserving, but indigent, pastor to competency and independence. Such conduct gained him the esteem of the good; and his talents obtained him another large class of friends—the learned. He was “the lawyer, the casuist, the divine, the antiquary, the linguist, the philosopher, the classical scholar; yet always the refined and accomplished gentleman.” Such is the concurrent testimony given in favour of Dr. George Hooper by most

of his contemporaries. He was born at Grimley, in Worcestershire, during the year 1640, and educated at Westminster, and Christchurch, Oxford. At the first-named school, Dr. Busby, its master, discerned his opening excellence, observing of him, “This boy is the least favoured in features of any in the school, but he will be the most extraordinary of any of them.” He at various times held the livings of Lambeth, and East Woodhay, Hampshire; was chaplain to bishop Morley, archbishop Sheldon, and princess Mary, whom he accompanied to Holland. At the revolution, he held the same office to her and king William, who, in 1691, gave him the deanship of Canterbury. In 1703 he was raised to the see of St. Asaph, and the following year translated as before mentioned. He died in 1727.—General Biog. Dict.; Wood's Athenæ Oxon.; Noble's Continuation of Grainger.

to be a man of no religion\*. They drew some propositions out of this book, but did it with so little judgment, that they passed over the worst that were in it, and singled out some, that how ill soever they were meant, yet were capable of a good sense. They brought up the censure that they had passed on this book to the bishops, and desired them to agree to their resolutions. This struck so directly at the episcopal authority, that it seemed strange to see men who had so long asserted the divine right of episcopacy, and that presbyters were only their assistants and council (according to the language of all antiquity), now assume to themselves the most important act of church government, the judging in points of doctrine. In this it appeared how soon men's interests and passions can run them from one extreme to another. The bishops saw, that their design in this was only to gain some credit to themselves, by this show of zeal for the great articles of religion; so they took advice of men learned in the law, how far the act of submission in the Twenty-fifth of Henry the Eighth did restrain them in this case. There had been the like complaint made in the convocation, 1698, of many ill books then published: and the bishops had then advised both with civilians and common lawyers in this matter. They were answered, that every bishop might proceed in his own court against the authors, or spreaders, of ill books, within his diocese; but they did not know of any power the convocation had to do it: it did not so much as appear that they could summon any to come before them: and when a book was published with the author's name to it, the condemning it, without hearing the author upon it, seemed contrary to the common rules of justice. It did not seem to be a court at all, and since no appeal lay from it, it certainly could not be a court in the first instance. When this question was now again put to lawyers, some were afraid, and others were unwilling, to answer it; but sir Edward Northeby, afterwards made attorney-general, thought the condemning books was a thing of great consequence; since the doctrine of the church might be altered, by condemning explanations of one sort, and allowing those of another; and since the convocation had no licence from the king, he thought that, by meddling in that matter, they should incur the pains in the statute; so all further debate of this matter was let fall by the bishops. The lower house going on to sit in intermediate days, many of the most eminent and learned among them not only refused to sit with them on those days, but thought it was incumbent on them to protest against their proceedings; but the lower house refusing to suffer this to be entered upon their books, they signified it in a petition to the archbishop. The party sitting alone in those intermediate days, they entered into such a secrecy, that it could not be known what they sat so close upon. So the archbishop appointed five bishops, together with ten they should name, as a committee to examine their books; but though this had been often done, yet, upon this occasion, the lower house refused to comply with it, or to name a committee. This was such an unprecedented invasion of the episcopal authority, that the upper house resolved to receive nothing from them till that irregularity was set right.

Hereupon they, being highly incensed against me, censured my Exposition of the Articles, which, in imitation of the general impeachments by the house of commons, they put in three general propositions:—First, that it allowed a diversity of opinions, which the articles were framed to avoid; secondly, that it contained many passages contrary to the true meaning of the articles, and to other received doctrines of our church; thirdly, that some things in it were of dangerous consequence to the church, and derogated from the honour of the reformation. What the particulars were, to which these general heads referred, could never be learned: this was a secret lodged in confiding hands. I begged that the archbishop would dispense with the order, made against further communication with the lower house, as to this matter: but they would enter into no particulars, unless they might at the same time offer some other matters, which the bishops would not admit of.

In these proceedings the bishops were unanimous, except the bishops of London, Rochester, and Exeter (Dr. Trelawney). The bishop of London had been twice disappointed of his hopes of being advanced to the see of Canterbury; so for several years he was engaged with

\* Whoever wishes for more information relative to John Toland, the apostate, the deist, and the government spy, may find it in the "Life" prefixed to his posthumous works. He was a native of Ireland, born in 1669, and died in 1722.

the tory party, and opposed the court in every thing, but with little force or authority\*. The bishop of Rochester (Dr. Sprat) had been deeply engaged in the former reigns, and he stuck firm to the party, to which, by reason of the liberties of his life, he brought no sort of honour. These bishops gave no great reputation to the proceedings of the lower house, to which they adhered: they likewise entered their dissent to the resolutions taken in the upper house. From the fire raised thus in convocation a great heat was spread through the whole clergy of the kingdom: it alienated them from their bishops, and raised factions among them everywhere.

Thus ended the session of parliament and convocation, which had the worst aspect of any that had sat during this reign. The new ministers pressed the king often to dissolve the commission that recommended to ecclesiastical preferments, and to turn out some of the whigs who were in employments, the lord Haversham in particular, who was in the admiralty. But the king could not be prevailed on to do any thing; yet he kept himself so much on the reserve, that when he went out of England it was not certainly known whether he intended to dissolve the parliament or not. When the king came to the Hague, he found the negotiation with France quite at an end; the king of France had recalled his minister, the States had increased their force, and the French were very strong in their neighbourhood: so that though no war was actually declared, yet it was very near breaking out.

The emperor's army was now got into Italy. The entrance towards Verona was stopped by the French, but prince Eugene came in by Vincenza; and when the reinforcements and artillery came up to him, he made a feint of passing the Po, near Ferrara: and having thus amused the French, he passed the Adige, near Carpi, where a body of five thousand French lay: these he routed, so the French retired to the Mincio. He followed them, and passed that river in their sight, without any opposition. The French army was commanded by the duke of Savoy; with him were the mareschal Catinat, and the prince of Vaudemont, governor of Milan. These differed in opinion: the duke of Savoy was for fighting, Catinat and prince Vaudemont were against it: so the mareschal Villeroy was sent thither with orders to fight. Catinat, who was the best general the French had left, looking on this as a disgrace, retired and languished for some time; yet he recovered. There were many small engagements of parties sent out on both sides, in which the Germans had always the better; yet this did not discourage Villeroy from venturing to attack them in their camp at Chiari; but they were so well entrenched, and defended themselves with so much resolution, that the French were forced to draw off with great loss: about five thousand of them were killed, whereas the loss of the Germans was inconsiderable. Sickness likewise broke in upon the French, so that their army was much diminished; and after this, they were not in a condition to undertake any thing. Prince Eugene lay for some time in his camp at Chiari, sending out parties as far as the Adda, who, meeting often with parties of the French, had always the advantage, killing some and taking many prisoners. For several months prince Eugene had no place of defence to retire to; his camp was all: so that a blow given him there must have ruined his whole army. Towards the end of the campaign he possessed himself of all the Mantuan territory, except Mantua and Goito; he blocked them both up; and when the season obliged the French to go into quarters, he took all the places on the Oglio, and continued in motion the whole following winter. The French had no other enemy to deal with, so they poured in their whole force upon him. He was then but a young man, and had little assistance from those about him, and none at all during the summer from the princes and states of Italy: for the pope and the Venetians pretended to maintain a neutrality, though upon many occasions the pope showed great partiality to the French. The people indeed favoured him, so that he had good and seasonable intelligence brought him of all the motions of the French: and in his whole conduct he showed both a depth of contrivance and an exactness in execution, with all the courage, but without any of the rashness, of youth.

\* Dr. Compton was a generous man, and if he had been told the unworthy suspicion cast upon him by Burnet, he probably would have said, as he once did on a similar occasion, "I am glad of it; for he has given me an opportunity of setting you a good example in forgiving him."

But to carry on the series of his motions as far as this period of my history goes, his attempt in January following upon Cremona had almost proved a decisive one. Mareschal Villeroy lay there with six or seven thousand men, and commanded a bridge on the Po: prince Eugene had passed that river with a part of his army: the princess of Mirandola drove out the French, and received a garrison from him. The duke of Modena put his country in his hand, and gave him Bersello, the strongest place of his dominions. The duke of Parma pretended he was the pope's vassal, and so put himself under the protection of that see. Prince Eugene would not provoke the pope too much, so he only marched through the Parmesan: here he laid the design of surprising Cremona with so much secrecy, that the French had not the least suspicion of it. Prince Eugene went to put himself at the head of a body that he brought from the Oglio, and ordered another to come from the Parmesan at the same time, to force the bridge. He marched with all secrecy to Cremona; at the same time, through the ruins of an old aqueduct, he sent in some men, who got through and forced one of the gates, so that he was within the town before mareschal Villeroy had any apprehension of an enemy being near him. He wakened on the sudden with the noise, got out to the street, and there he was taken prisoner. But the other body did not come up critically at the time appointed, so an Irish regiment secured the bridge. And thus the design, that was so well contrived and so happily executed in one part, did fail. Prince Eugene had but four thousand men with him, so that, since the other body could not join him, he was forced to march back, which he did without any considerable loss, carrying mareschal Villeroy and some other prisoners with him. In this attempt, though he had not an entire success, yet he gained all the glory to which the ambition of a military man could aspire; so that he was looked on as the greatest and happiest general of the age. He went on enlarging his quarters, securing all his posts, and straitening the blockade of Mantua, and was in perpetual motion during the whole winter. The French were struck with this ill success; more troops were sent into Italy, and the duke of Vendome went to command the armies there.

The duke of Savoy was pressed to send his forces thither; but he grew cold and backward. He had now gained all that he could promise himself from France: his second daughter was married to king Philip and was sent to him to Barcelona, and he came and met her there: Philip fell into an ill habit of body, and had some returns of a feverish temper: he had also great disputes with the states of Catalonia, who, before they would grant him the tax that was asked of them, proposed that all their privileges should be confirmed to them. This took up some time, and occasioned many disputes. All was settled at last; but their grant was short of what was expected, and did not defray the charges of the king's stay in the place. A great disposition to revolt appeared in the kingdom of Naples, and it broke out in some feeble attempts that were soon mastered. The leaders of these were taken and executed. They justified themselves by this apology, that till the pope granted the investiture they could not be bound to obey the new king. The duke of Medina was a severe governor, both on his master's account and on his own. Some of the Austrian party made their escape to Rome and to Vienna. They represented to the emperor that the disposition of the country was such in his favour, that a small force of ten thousand men would certainly put that kingdom wholly into his hands. Orders were upon that sent to prince Eugene to send a detachment into the kingdom of Naples. But though he believed a small force would soon reduce that kingdom, yet he judged that such a diminution of his own strength, when the French were sending so many troops into the Milanese, would so expose him, that it would not be possible to maintain a defensive with such an unequal force. Yet repeated orders came to him to the same effect; but, in opposition to those, he made such representations, that at last it was left to himself to do what he found safest, and most for the emperor's service; with that the matter was let fall, and it soon appeared that he had judged better than the court of Vienna: but this was, by his enemies, imputed to humour and obstinacy; so that, for some time after that, he was neither considered nor supported as his great services had deserved. This might flow from envy and malice, which are the ordinary growth of all courts, chiefly of feeble ones; or it might be a practice of the French, who had corrupted most courts, and that of Vienna in particular;

since nothing could more advance their ends than to alienate the emperor from prince Eugene ; which might so far disgust him, as to make him more remiss in his service.

Our fleets lay all this summer idle in our seas on a bare defensive, while the French had many squadrons in the Spanish ports and in the West Indies. In the North, the war went on still : the king of Sweden passed the Duna, and fell on an army of the Saxons that lay on the other side, over against Riga, and routed them so entirely, that he was master of their camp and artillery. From thence he marched into Courland, where no resistance was made : Mittau, the chief town, submitted to him. The king of Poland drew his army into Lithuania, which was much divided between the Sapichas and Oginskis : so that all those parts were breaking into much confusion. The court of Vienna pretended that they had made a great discovery of a conspiracy in Hungary. It is certain the Germans played the masters very severely in that kingdom, so that all places were full of complaints, and the emperor was so besieged by the authors of those oppressions, and the proceedings were so summary upon very slight grounds, that it was not to be wondered if the Hungarians were disposed to shake off the yoke, when a proper opportunity should offer itself. And it is not to be doubted but the French had agents among them, by the way of Poland as well as of Turkey, that so the emperor might have work enough at home.

This was the state of the affairs of Europe this summer. Several negotiations were secretly carried on : the elector of Cologne was entirely gained to the French interest, but was resolved not to declare himself till his brother thought fit likewise to do it. All the progress that the French made with the two brothers this summer was, that they declared for a neutrality, and against a war with France. The dukes of Wolfenbuttel and Saxe Gotha were also engaged in the same design : they made great levies of troops beyond what they themselves could pay, for which it was visible that they were supplied from France. Here was a formidable appearance of great distractions in the empire. An alliance was also projected with the king of Portugal. His ministers were in the French interests, but he himself inclined to the Austrian family. He for some time affected retirement, and avoided the giving audience to foreign ministers. He saw no good prospect from England ; so, being pressed to an alliance with France, his ministers got leave from him to propose one on terms of such advantage to him, that as it was not expected they could be granted, so it was hoped this would run into a long negotiation. But the French were as liberal in making large promises, as they were perfidious in not observing them : so the king of France agreed to all that was proposed, and signed a treaty pursuant to it, and published it to the world. Yet the king of Portugal denied that he had consented to any such project ; and he was so hardly brought to sign the treaty, that, when it was brought to him, he threw it down and kicked it about the room, as our envoy wrote over. In conclusion, however, he was prevailed on to sign it ; but it was generally thought that when he should see a good fleet come from the allies, he would observe this treaty with the French as they have done their treaties with all the rest of the world. Spain grew uneasy and discontented under a French management. The grandes were little considered, and they saw great designs for the better conduct of the revenues of the crown likely to take place every where, which were very unacceptable to them, who minded nothing so much as to keep up a vast magnificence at the king's cost. They saw themselves much despised by their new masters, as there was indeed great cause for it ; they had too much pride to bear this well, and too little courage to think how they should shake it off.

But now to return to our affairs at home : The duke of Queensbury was sent down to hold a parliament in Scotland, where people were in so bad a humour, that much practice was necessary to bring them into any temper. They passed many angry votes upon the business of Darien, but in conclusion the session ended well. The army was reduced one half, and the troops that were ordered to be broken were sent to the States, who were now increasing their force. This session was chiefly managed by the duke of Queensbury and the earl of Argyle ; and, in reward for it, the one had the garter, and the other was made a duke.

In Ireland, the trustees went on to hear the claims of the Irish, and in many cases they gave judgment in their favour. But now it began to appear, that whereas it had been given out that the sale of the confiscated estates would amount to a million and a half, it was not







Engraved by H. Robinson.

### ARCHIBALD CAMPBELL, FIRST DUKE OF ARGYLL.

OB. 1703

FROM THE ORIGINAL OF SIR PELLY IN THE COLLECTION OF

HIS GRACE, THE DUKE OF ARGYLL.



likely to rise to the third part of that sum. In the meanwhile, the trustees lived in great state there, and were masters of all the affairs of that kingdom. But no propositions were yet made for the purchasing of those estates. During the king's absence, the nation was in a great ferment, which was increased by many books that were written to expose the late management in the house of commons and the new ministry, the earl of Rochester in particular, who was thought the driver of all violent motions. The few books that were published on the other side were so poorly written, that it tempted one to think they were written by men who personated the being on their side, on design to expose them. The earl of Rochester delayed his going to Ireland very long. He perceived that the king's heart was not with him, and was very uneasy at that; as on the other hand the king complained much of his intractable temper and imperious manner, and, by his intercourse with him, the king came to see that he was not the man he had taken him for; that he had no great nor clear notions of affairs abroad; and that, instead of moderating the violence of his party, he inflamed them: so that he often said, that the year in which he directed the councils was one of the uneasiest of his whole life. The earl of Rochester finding the king's coldness towards him, expostulated with him upon it, and said he could serve him no longer, since he saw he did not trust him. The king heard this with his usual phlegm, and concluded upon it that he should see him no more; but Harley made him a little more submissive and towardly. After the king was gone beyond sea, he also went into Ireland; there he used much art in obliging people of all sorts, dissenters as well as papists; yet such confidence was put in him by the high church party, that they bore every thing at his hands. It was not easy to behave himself towards the trustees, so as not to give a general distaste to the nation, for they were much hated, and openly charged with partiality, injustice, and corruption. That which gave the greatest disgust in his administration there, was his usage of the reduced officers, who were upon half pay, a fund being settled for that by act of parliament. They were ordered to live in Ireland, and to be ready for service there. The earl of Rochester called them before him, and required them to express under their hands their readiness to go and serve in the West Indies. They did not comply with this; so he set them a day for their final answer, and threatened that they should have no more appointments if they stood out beyond that time. This was represented to the king, as a great hardship put on them, and as done on design to leave Ireland destitute of the service that might be done by so many gallant officers, who were all known to be well affected to the present government. So the king ordered a stop to be put to it.

I am now come to the last period of the life of the unfortunate king James: he had led for above ten years a very inactive life in France; after he had in so poor a manner as was told, abandoned first England, and then Ireland, he had entered into two designs, for recovering the crowns, which he may be said, more truly, to have thrown away than lost: the one was broken by the defeat of the French fleet at sea before Cherbourg, in the year 1692; the other seemed to be laid with more depth, as well as with more infamy, when an army was brought to Dunkirk, and the design of the assassination was thought sure, upon which it was reasonably hoped that we must have fallen into such convulsions, that we should have been an easy prey to an army ready to invade us. The reproach that so black a contrivance cast upon him, brought him under so much contempt, that even the absolute authority of the French court could hardly prevail so far as to have common respect paid him after that. He himself seemed to be the least concerned at all his misfortunes; and though his queen could never give over meddling, yet he was the most easy, when he was least troubled with those airy schemes, upon which she was still employing her thoughts. He went sometimes to the monastery of La Trappe, where the poor monks were much edified with his humble and pious deportment. Hunting was his chief diversion, and for the most part he led a harmless, innocent life; being still very zealous about his religion. In the opening of this year, he had been so near death, that it was generally thought the decline of it would carry him off. He went to Bourbon, but had no benefit by the waters there; in the beginning of September, he fell into such fits, that it was concluded he could not live many days: the king of France came to see him, and seemed to be much touched with the sight: he, with some difficulty,

recommended his queen and son to his care and protection: the French king answered, he would reckon their concerns as his own; and when he left him, he promised those of his court that he would, upon king James's death, own the prince of Wales as king of England, and that he would take care of them all. King James died on the 6th day of September. He was a prince that seemed made for greater things than will be found in the course of his life, more particularly of his reign: he was esteemed, in the former parts of his life, a man of great courage, as he was quite through it a man of great application to business: he had no vivacity of thought, invention, or expression; but he had a good judgment, where his religion, or his education, gave him not a bias, which it did very often: he was bred with strange notions of the obedience due to princes, and came to take up as strange ones, of the submission due to priests; he was naturally a man of truth, fidelity, and justice; but his religion was so infused in him, and he was so managed in it by his priests, that the principles which nature had laid in him, had little power over him when the concerns of his church stood in the way: he was a gentle master, and was very easy to all who came near him; yet he was not so apt to pardon as one ought to be, that is the vicegerent of that God who is slow to anger, and ready to forgive. He had no personal vices but of one sort: he was still wandering from one amour to another, yet he had a real sense of sin, and was ashamed of it: but priests know how to engage princes more entirely into their interests, by making them compound for their sins by a great zeal for holy church, as they call it. In a word, if it had not been for his popery, he would have been, if not a great, yet a good, prince. By what I once knew of him, and by what I saw him afterwards carried to, I grew more confirmed in the very bad opinion which I was always apt to have, of the intrigues of the popish clergy, and of the confessors of kings: he was undone by them, and was their martyr, so that they ought to bear the chief load of all the errors of his inglorious reign, and of its fatal catastrophe. He had the funeral which he himself had desired, private, and without any sort of ceremony: as he was dying, he said nothing concerning the legitimacy of his son, on which some made severe remarks: others thought that, having spoken so often of it before, he might not reflect on the fitness of saying any thing concerning it in his last extremity. He recommended to him firmness in his religion, and justice in his government, if ever he should come to reign. He said, that by his practice he recommended Christian forgiveness to him, for he heartily forgave both the prince of Orange and the emperor. It was believed, that the naming the emperor was suggested to him by the French, to render the emperor odious to all those of that religion \*.

Upon his death, it was debated in the French council what was fit to be done with relation to his pretended son: the ministry advised the king to be passive, to let him assume what title he pleased, but that, for some time at least, the king should not declare himself: this might be some restraint on the king of England, whereas a present declaration must precipitate a rupture; but the dauphin interposed with some heat, for the present owning him king; he thought the king was bound in honour to do it: he was of his blood, and was driven away on the account of his religion; so orders were given to proclaim him at St. Germain. The earl of Manchester, then the king's ambassador at Paris, told me, that his own court was going about it; but a difficulty, proposed by the earl of Middleton, put a stop to it: he apprehended that it would look very strange, and might provoke the court of France, if among his titles he should be called king of France; and it might disgust their party in England, if it was omitted: so that piece of ceremony was not performed; soon after this, the king of Spain owned him, so did the pope and the duke of Savoy; and the king of France pressed all other princes to do it, in whose courts he had ministers, and prevailed on the pope to press the emperor, and other popish princes, to own him, though without effect. The king looked upon this as an open violation of the treaty of Ryswick, and he ordered the earl of Manchester to leave that court without asking an audience. The French pretended, that the bare owning of his title, since they gave him no assistance to

\* It is unnecessary to say more concerning this misguided monarch. Those who would study his history, as viewed by variously biased partisans, must refer to the works of Hume, Macauley, Fox, D'Orleans, "Life of James the Second, from the Stuart Papers," &c.

make good his claim, was not a breach of the treaty ; but this could not pass on the world, since the owning his right was a plain declaration that they would assist him in claiming it, whosoever the state of their affairs should allow of it.

This gave a universal distaste to the whole English nation ; all people seemed possessed with a high indignation upon it to see a foreign power that was at peace with us, pretend to declare who ought to be our king ; even those who were perhaps secretly well pleased with it, were yet, as it were forced, for their own safety, to comply with the general sense of the rest in this matter : the city of London began, and all the nation followed, in a set of addresses, wherein they expressed their abhorrence of what the French king had done, in taking upon him to declare who should be their king, and renewed their vow of fidelity to the king, and to his successors, according to the act of settlement. A great diversity of style appeared in these addresses, some avoided to name the French king, the prince of Wales, or the act of settlement, and only reflected on the transaction in France, in general and soft words ; but others carried the matter farther, encouraging the king to go on in his alliances, promising him all faithful assistance in supporting them, and assuring him that, when he should think fit to call a new parliament, they would choose such members as should concur in enabling him to maintain his alliances ; this raised the divisions of the nation higher. All this summer the king continued at Loo, in a very ill state of health ; new methods gave some relief ; but when he came to the Hague, on his way to England, he was for some time in so bad a condition, that they were in great fear of his life ; he recovered, and came over in the beginning of November.

The first thing that fell under debate upon his return was, whether the parliament should be continued, or dissolved, and a new one called ; some of the leading men of the former parliament had been secretly asked, how they thought they would proceed, if they should meet again : of these, while some answered doubtfully, others said positively, they would begin where they had left off, and would insist on their impeachments. The new ministry struggled hard against a dissolution, and when they saw the king resolved on it, some of them left his service. This convinced the nation that the king was not in a double game, which had been confidently given out before, and was too easily believed by many : the heats in elections increased with every new summons. This was thought so critical a conjuncture, that both sides exerted their full strength. Most of the great counties, and the chief cities, chose men that were zealous for the king and government, but the rotten part of our constitution, the small boroughs, were in many places wrought on to choose bad men ; upon the whole, however, it appeared, that a clear majority was in the king's interests, yet the activity of the angry side was such, that they had a majority in choosing the speaker, and in determining controverted elections ; but in matters of public concern, things went on as the king desired, and as the interest of the nation required.

The king opened the parliament with the best speech that he, or perhaps any other prince ever made to his people ; he laid the state of our affairs both at home and abroad before them in a most pathetical manner ; he pressed it upon them to consider the dangers they were in, and not to increase these by new divisions among themselves : he expressed a readiness to forgive all offences against himself, and wished they would as readily forgive one another ; so that no other division might remain but that of English and French, protestant and papist ; he had entered into some alliances, pursuant to the addresses of the last parliament, and was negotiating some others, all which should be laid before them : and this was accordingly done. Both houses began with addresses, in which they did very fully renounce the prince of Wales. The house of lords ordered that all such as were willing to do it should sign the address that was entered into their books. This was without a precedent, and yet it was promoted by those who, as was thought, hoped, by so unusual a practice, to prevent any further proceedings on that head. No exception was made to any article of the alliances ; one addition was only proposed, that no peace should be made till a full reparation was offered to the king for the indignity done him by the French king's declaring the pretended prince of Wales king of England ; which was soon after proposed to the allies, and was agreed to by them all. By the alliances, the king was obliged to furnish forty thousand men to serve in the armies, besides what he was to do by sea ; all was consented

to in every particular; angry men showed much rancour against the king, and tried to cross every thing that was proposed, both as to the quotas of the troops we were to furnish, and as to the strength of our fleet. But the public interest was now so visible, and the concurrent sense of the nation ran so vehemently for a war, that even those who were most averse to it, found it convenient to put on the appearance of zeal for it. The city of London was now more united than it had been at any time during this reign, for the two companies that traded to the East-Indies, saw that their common interest required they should come to an agreement; and though men of ill designs did all they could to obstruct it, yet in conclusion it was happily effected. This made the body of the city, which was formerly much divided between the two companies, fall now into the same measures. But those who intended to defeat all this good beginning of the session, and to raise a new flame, set on debates that must have embroiled all again, if they had succeeded in their designs: they began with complaints of some petitions and addresses that had reflected on the proceedings of the last house of commons; but it was carried against them, that it was the right of the subjects to petition as they thought themselves aggrieved; yet they were not discouraged by this, but went on to complain that the lords had denied justice in the matter of the impeachments. This bore a long and hot debate in a very full house; but it was carried, though by a small majority, that justice had not been denied them; after this, the party gave over any further struggling, and things were carried on with more unanimity.

The house of commons began a bill of attainder of the pretended prince of Wales. This could not be opposed, much less stopped; yet many showed a coldness in it, and were absent on the days in which it was ordered to be read; it was sent up to the lords, and it passed in that house, with an addition of an attainder of the queen, who acted as queen regent for him. This was much opposed, for no evidence could be brought to prove that allegation, yet the thing was so notorious, that it was passed, and was sent down again to the commons. It was excepted to there as not regular, since but one precedent in king Henry the Eighth's time was brought for it, and in that the commons had added some names by a clause in a bill of attainder, sent down to them by the lords; yet as this was a single precedent, so it seemed to be a hard one: attainders by bill were the greatest rigours of the law, so stretches in them ought to be avoided; it was therefore thought more proper to attaint her by a bill apart, than by a clause in another bill; to this the lords agreed, so the bill against the pretended prince of Wales passed. The lords also passed a new bill, attainting the queen, but that was let sleep in the house of commons.

The matter that occasioned the longest and warmest debates in both houses, was an act for abjuring the pretended prince of Wales, and for swearing to the king by the title of rightful and lawful king, and to his heirs, according to the act of settlement: this was begun in the house of lords, and the first design was, that it should be voluntary, it being only to be tendered to all persons, and their subscription or refusal to be recorded, without any other penalty. It was vehemently opposed by all the tory party, at the head of whom the earl of Nottingham set himself. They who argued against it, said this government was first settled with another oath, which was like an original contract, and it was unjust and unreasonable to offer a new one: there was no need of new oaths, as there was no new strength got by them: oaths, relating to men's opinions, had been always looked on as severe impositions: a voluntary oath seemed to be by its nature unlawful; for we cannot swear lawfully unless we are required to do it. To all this it was answered, that in ancient time, the oath of allegiance was short and simple, because then it was not thought that princes had any right, other than what was conveyed to them by law; but of late, and indeed very lately, new opinions had been started of a divine right, with which former times were not acquainted: so it was necessary to know who among us adhered to these opinions; the present government was begun upon a comprehensive foot, it being hoped that all parties might have been brought to concur in supporting it: but the effects had not answered expectation; distinctions had been made between a king *de jure* and a king *de facto*; whereby these men plainly declared with whom they believed the right was lodged: this opinion must, whensoever that right comes to be claimed, oblige those who hold it to adhere to such claimers; it seemed therefore in some sort necessary that the government should know on

whom it might depend : the discrimination made, by such a test, was to be without compulsion, or penalty ; no hardship was put on any person by it : those who refused to give this security would see what just cause of jealousy they gave, and would thereby be obliged to behave themselves decently and with due caution : when a government tendered an oath, though under no penalty, that was a sufficient authority for all to take it who were satisfied with the substance of it : while, therefore, there was so great a power beyond sea, that did so openly espouse this young man's pretensions, and while there was just ground to suspect that many at home favoured him, it seemed very reasonable to offer a method, by which it should appear, who obeyed the present government from a principle, believing it lawful, and who submitted only to it, as to a prosperous usurpation. About twenty lords persisted in their opposition to this bill ; those who were for it being thrice that number ; but, in the house of commons, when it appeared how the lords were inclined, they resolved to bring in a bill that should oblige all persons to take this abjuration. It was drawn by sir Charles Hedges ; all employments in church or state were to be subject to it : some things were added to the abjuration, such as an obligation to maintain the government in king, lords, and commons, and to maintain the church of England, together with the toleration for dissenters : Finch offered an alteration to the clause, abjuring the prince of Wales, so that it import ed only an obligation not to assist him ; but though he pressed this with unusual vehemence, in a debate that he resumed seventeen times in one session, against all rules, he had few to second him in it : the debate, whether the oath should be imposed, or left free, held longer ; it was carried, but by one vote, to impose it : the party chose that, rather than to have it left free ; for they reckoned the taking an oath that was imposed, was a part of their submission to the usurpation ; but the taking any oath, that strengthened the government, of their own accord, did not suit with their other principles ; but to help the matter with a show of zeal, they made the clause that imposed it very extensive, so that it comprehended all clergymen, fellows of colleges, schoolmasters, and private tutors : the clause of maintaining the government in king, lords, and commons, was rejected with great indignation ; since the government was only in the king ; the lords and commons being indeed a part of the constitution, and of the legislative body, but not of the government. This was a bare-faced republican notion, and was wont to be condemned as such by the same persons who now pressed it. It was farther said, that if it appeared that our constitution was in danger, it might be reasonable to secure it by an act and oath apart ; but since the single point, that required this abjuration, was the French king's declaring that the pretended prince of Wales was our king, it was not fit to join matters foreign to that in this oath ; upon the same reason, the clause in favour of the church, and of the toleration, were also laid aside. The design of this act was to discover to all, both at home and abroad, how unanimously the nation concurred in abjuring the pretended prince of Wales ; but here was a clause, to one part of which (the maintaining the church) the dissenters could not swear ; and even the more moderate men of the church, who did well approve of the toleration, yet might think it too much to swear to maintain it ; since it was reasonable to oblige the dissenters to use their liberty modestly, by keeping them under the apprehension of having it taken away, if it was abused by them. One addition was offered, and received without any debate about it, or the shadow of any opposition ; it was declared to be high treason to endeavour to prevent or defeat the princess's right of succession : the tories pretended great zeal for her, and gave it out that there was a design to set her aside, and to have the house of Hanover to succeed the king immediately ; though it could never be made appear that any motion of this kind had ever been either made, or debated, even in private discourse, by any of the whole whig party. Great endeavours were used, and not altogether without effect, to infuse this jealousy into the princess, and into all about her, not without insinuations, that the king himself was inclined to it. When this clause was offered, its being without a precedent, gave handle enough to oppose it, yet there was not one word said in opposition to it, in either house, all agreeing heartily in it. This ought to have put an end to the suspicion, but surmises of that kind, when raised on design, are not soon parted with.

Soon after the session was opened, the earl of Rochester wrote to the king, and asked leave to come over ; it was soon granted, but when he signified this to the council of Ireland, the

whole board joined in a request to him, that he would lay before the king the great grievances under which the whole kingdom lay, by the proceedings of the trustees, who stretched the authority that the law gave them, in many instances, to the oppressing of the nation ; he seemed uneasy at the motion, but promised to lay it before the king, which he did at his coming over. Soon after that, petitions were sent round all the counties of Ireland, and signed by many, representing both the hardships of the act, and the severe methods the trustees took in executing it : all this was believed to be set on secretly by the court, in hope that some temper might be found in that matter, so that the king's grants might again take place in whole, or in part. The house of commons was moved to proceed severely against the promoters of these petitions ; yet the complaining of grievances had been so often asserted to be a right of the subject, that this was let fall ; but since no person appeared to justify the facts set forth, and suggested in those petitions, they were voted false and scandalous, and this stopped a further progress in that method. The heat with which that act had been carried was now much qualified, and the trustees having judged for so many claims in favour of Irish papists, showing too manifest a partiality for them, and having now sat two years, in which they had consumed all the rents that arose out of the confiscated estates, the house was applied to for their interposition, by many petitions relating to that matter. This was the more necessary, because, as was formerly told, when that act was depending, they had passed a vote against receiving any petition relating to it : the thing had now lost much of the credit and value that was set upon it at first ; and though the same party still opposed the receiving any petitions, yet the current was now so strong the other way, that they were all received, and in a great many cases justice was done ; yet with a manifest partiality, in favour of papists ; it being a maxim, among all who favoured king James's interests, to serve papists, especially those whose estates were confiscated for adhering to him. One motion was carried, not without difficulty, in favour of those who had purchased under the grantees, and had made great improvements, that they should be admitted to purchase with an abatement of two years' value of the estates : the earl of Athlone, whose case was singular, as was formerly set out, having sold his grant to men, who had reason to think they had purchased under a secure title, a special clause was offered in their favour ; but the party had studied so far to inflame the nation against the Dutch, that in this the votes were equal, and the speaker's vote being to turn the matter, he gave it against the purchasers. Many bills were brought in relating to Irish forfeitures, which took up the greatest part of the session.

The commons, after a long delay, sent up the bill, abjuring the prince of Wales. In the house of lords the tories opposed it all they possibly could : it was a new bill, so the debate was entirely open ; they first moved for a clause, excusing the peers from it : if this had been received, the bill would have been certainly lost, for the commons would never have yielded to it : when this was rejected, they tried to have brought it back to be voluntary ; it was a strange piece of inconsistency in men to move this, who had argued even against the lawfulness of a voluntary oath : but it was visible they intended by it only to lose, or at least to delay, the bill : when this was over-ruled by the house, not without a mixture of indignation in some against the movers, they next offered all those clauses that had been rejected in the house of commons, with some other very strange additions, by which they discovered both great weakness and an inveterate rancour against the government ; but all the opposition ended in a protestation of nineteen or twenty peers against the bill.

And now I am arrived at the fatal period of this reign. The king seemed all this winter in a very fair way of recovery ; he had made the royal apartments in Hampton-court very noble, and he was so much pleased with the place, that he went thither once a week, and rode often about the park : in the end of February, the horse he rode on stumbled, and he, being then very feeble, fell off and broke his collar-bone : he seemed to have no other hurt by it, and his strength was then so much impaired, that it was not thought necessary to let him bleed, no symptom appearing that required it : the bone was well set, and it was thought there was no danger ; so he was brought to Kensington that night : he himself had apprehended all this winter that he was sinking ; he said to the earl of Portland, both before, and after, this accident, that he was a dead man : it was not in his legs, nor now in his collar-

bone, that he felt himself ill, but all was decayed within, so that he believed he should not be able to go through the fatigue of another campaign. During his illness, he sent a message to the two houses, recommending the union of both kingdoms to them. The occasion of this, was a motion that the earl of Nottingham had made, in the house of lords, when the act of abjuration was agreed to: he said, though he had differed from the majority of the house in many particulars relating to it, yet he was such a friend to the design of the act, that in order to the securing a protestant succession, he thought an union of the whole island was very necessary; and that therefore they should consider how both kingdoms might be united; but in order to this, and previous to it, he moved, that an address should be made to the king, that he would be pleased to dissolve the parliament now sitting in Scotland, and to call a new one: since the present parliament was at first a convention, and then turned to a parliament, and was continued ever since, so that the legality of it might be called in question; and it was necessary that so important a thing as the union of both kingdoms, should be treated in a parliament against the constitution of which no exception could lie. The motion was warmly opposed; for that nation was then in such a ferment, that the calling a new parliament would have been probably attended with bad consequences; so that project was let fall, and no progress was made upon the king's message. On the third of March, the king had a short fit of an ague, which he regarded so little, that he said nothing of it: it returned on him next day: I happened to be then near him, and observed such a visible alteration, as gave me a very ill opinion of his condition; after that he kept his chamber till Friday: every day it was given out that his fits abated; on Friday, things had so melancholy a face, that his being dangerously ill was no longer concealed; there was now such a difficulty of breathing, and his pulse was so sunk, that the alarm was given out every where; he had sent the earl of Albemarle over to Holland to put things in a readiness for an early campaign. He came back on the 7th of March in the morning, with so good an account of every thing, that, if matters of that kind could have wrought on the king, it must have revived him; but the coldness with which he received it showed how little hopes were left: soon after, he said, "*Je tire vers ma fin*, (I draw towards my end.)" The act of abjuration, and the money bill, were now prepared for the royal assent; the council ordered all things to be in a readiness for the passing of those bills by a special commission, which according to form must be signed by the king, in the presence of the lord keeper and the clerks of the parliament: they came to the king, when his fit began, and stayed some hours before they were admitted; some in the house of commons moved for an adjournment, though the lords had sent to them not to adjourn for some time; by this means they hoped the bill of abjuration should be lost; but it was contrary to all rules to adjourn, when such a message was sent them by the lords, so they waited till the king had signed the commission and the bills, and thus those acts passed in the last day of the king's life.

The king's strength and pulse was still sinking, as the difficulty of breathing increased, so that no hope was left. The archbishop of Canterbury and I went to him on Saturday morning, and did not stir from him till he died. The archbishop prayed on Saturday some time with him, but he was then so weak that he could scarcely speak, but gave him his hand, as a sign that he firmly believed the truth of the Christian religion, and said, he intended to receive the sacrament: his reason and all his senses were entire to the last minute: about five in the morning he desired the sacrament, and went through the office with great appearance of seriousness, but could not express himself; when this was done, he called for the earl of Albemarle, and gave him a charge to take care of his papers. He thanked Mr. Auverquerque for his long and faithful services. He took leave of the duke of Ormond, and called for the earl of Portland, but before he came, his voice quite failed, so he took him by the hand, and carried it to his heart with great tenderness. He was often looking up to heaven, in many short ejaculations. Between seven and eight o'clock the rattle began, the commendatory prayer was said for him, and as it ended he died, in the fifty-second year of his age, having reigned thirteen years and a few days. When his body was opened, it appeared that, notwithstanding the swelling of his legs, he had no dropsy; his head and heart were sound; there was scarcely any blood in his body; his lungs stuck to his side, and by the fall from his horse, a part of them was torn from it, which occasioned an inflammation, that was

believed to be the immediate cause of his death, which probably might have been prevented for some time, if he had been then let blood. His death would have been a great stroke at any time, but in our circumstances, as they stood at that time, it was a dreadful one. The earl of Portland told me, that when he was once encouraging him, from the good state his affairs were in, both at home and abroad, to take more heart; the king answered him, that he knew death was that which he had looked at on all occasions without any terror; sometimes he would have been glad to have been delivered out of all his troubles, but he confessed now he saw another scene, and could wish to live a little longer. He died with a clear and full presence of mind, and in a wonderful tranquillity. Those who knew it was his rule, all his life long, to hide the impressions that religion made on him as much as possible, did not wonder at his silence in his last minutes, but they lamented it much; they knew what a handle it would give to censure and obloquy.

Thus lived and died William the Third, king of Great Britain, and prince of Orange. He had a thin and weak body, was brown haired, and of a clear and delicate constitution; he had a Roman eagle nose, bright and sparkling eyes, a large front, and a countenance composed to gravity and authority: all his senses were critical and exquisite. He was always asthmatical, and the dregs of the small pox falling on his lungs, he had a constant deep cough. His behaviour was solemn and serious, seldom cheerful, and but with a few: he spoke little and very slowly, and most commonly with a disgusting dryness, which was his character at all times, except in a day of battle; for then he was all fire, though without passion: he was then every where, and looked to every thing. He had no great advantage from his education; De Wit's discourses were of great use to him, and he, being apprehensive of the observation of those who were looking narrowly into every thing he said or did, had brought himself under an habitual caution that he could never shake off, though in another scene it proved as hurtful as it was then necessary to his affairs: he spoke Dutch, French, English and German equally well; and he understood the Latin, Spanish and Italian, so that he was well fitted to command armies composed of several nations. He had a memory that amazed all about him, for it never failed him; he was an exact observer of men and things; his strength lay rather in a true discerning and a sound judgment, than in imagination, or invention: his designs were always great and good; but it was thought he trusted too much to that, and that he did not descend enough to the humours of his people to make himself, and his notions, more acceptable to them: this, in a government that has so much of freedom in it as ours, was more necessary than he was inclined to believe: his reservedness grew on him, so that it disgusted most of those who served him; but he had observed the errors of too much talking, more than those of too cold a silence. He did not like contradiction, nor to have his actions censured, but he loved to employ and favour those who had the arts of complaisance: yet he did not love flatterers. His genius lay chiefly to war, in which his courage was more admired than his conduct: great errors were often committed by him, but his heroic courage set things right, as it inflamed those who were about him: he was too lavish of money on some occasions, both in his buildings, and to his favourites, but too sparing in rewarding services, or in encouraging those who brought intelligence: he was apt to take ill impressions of people, and these stuck long with him, but he never carried them to indecent revenges; he gave too much way to his own humour almost in every thing, not excepting that which related to his own health; he knew all foreign affairs well, and understood the state of every court in Europe very particularly; he instructed his own ministers himself, but he did not apply enough to affairs at home: he tried how he could govern us by balancing the two parties one against another, but he came at last to be persuaded that the tories were irreconcilable to him, and he was resolved to try and trust them no more. He believed the truth of the Christian religion very firmly, and he expressed a horror at atheism and blasphemy; and though there was much of both in his court, yet it was always denied to him, and kept out of sight. He was most exemplarily decent and devout in the public exercises of the worship of God, only on week days he came too seldom to them: he was an attentive hearer of sermons, and was constant in his private prayers, and in reading the scriptures: and when he spoke of religious matters, which he did not often, it was with a becoming gravity. He was much possessed with the belief of absolute decrees: he said to

me, he adhered to these, because he did not see how the belief of Providence could be maintained upon any other supposition; his indifference as to the forms of church government, and his being zealous for toleration, together with his cold behaviour towards the clergy, gave them generally very ill impressions of him; in his deportment towards all about him, he seemed to make little distinction between the good and the bad, and those who served well, or those who served him ill: he loved the Dutch, and was much beloved among them; but the ill returns he met from the English nation, their jealousies of him, and their perverseness towards him, had too much soured his mind, and had in a great measure alienated him from them, which he did not take care enough to conceal, though he saw the ill effects this had upon his business. He grew, in his last years, too remiss and careless as to all affairs; till the treacheries of France awakened him, and the dreadful conjunction of the monarchies gave so loud an alarm to all Europe; for a watching over that court, and a bestirring himself against their practices, was the prevailing passion of his whole life. Few men had the art of concealing and governing passion more than he had; yet few men had stronger passions, which were seldom felt but by inferior servants, to whom he usually made such recompenses, for any sudden, or indecent, vents he might give his anger, that they were glad at every time that it broke upon them: he was too easy to the faults of those about him, when they did not lie in his own way, or cross any of his designs; and he was so apt to think that his ministers might grow insolent, if they should find that they had much credit with him, that he seemed to have made it a maxim, to let them often feel how little power they had, even in small matters: his favourites had a more entire power, but he accustomed them only to inform him of things, but to be sparing in offering advice, except when it was asked; it was not easy to account for the reasons of the favour that he shewed, in the highest instances, to two persons beyond all others, the earls of Portland and Albemarle; they being in all respects men, not only of different, but of opposite characters; secrecy and fidelity were the only qualities in which it could be said, that they did in any sort agree. I have now run through the chief branches of his character; I had occasion to know him well, having observed him very carefully in a course of sixteen years: I had a large measure of his favour, and a free access to him all the while, though not at all times to the same degree: the freedom that I used with him was not always acceptable; but he saw that I served him faithfully, so, after some intervals of coldness, he always returned to a good measure of confidence in me; I was, in many great instances, much obliged by him; but that was not my chief bias towards him; I considered him as a person raised up by God to resist the power of France, and the progress of tyranny and persecution; the series of the five princes of Orange, that was now ended in him, was the noblest succession of heroes that we find in any history; and the thirty years, from the year 1672 to his death, in which he acted so great a part, carry in them so many amazing steps of a glorious and distinguishing Providence, that in the words of David, he may be called, "The man of God's right hand, whom he made strong for himself." After all the abatements that may be allowed for his errors and faults, he ought still to be reckoned among the greatest princes that our history, or indeed that any other, can afford. He died in a critical time for his own glory; since he had formed a great alliance, and had projected the whole scheme of the war; so that if it succeeds, a great part of the honour of it will be ascribed to him; and if otherwise, it will be said he was the soul of the alliance, that did both animate and knit it together, and that it was natural for that body to die and fall asunder, when he who gave it life was withdrawn. Upon his death, some moved for a magnificent funeral; but it seemed not decent to run into unnecessary expense, when we were entering on a war, that must be maintained at a vast charge; so a private funeral was resolved on. But for the honour of his memory, a noble monument and an equestrian statue were ordered. Some years must shew whether these things were really intended, or if they were only spoken of to excuse the privacy of his funeral, which was scarcely decent, so far was it from being magnificent.

## BOOK VII.

## OF THE LIFE AND REIGN OF QUEEN ANNE.



Y the death of king William, pursuant to the act that had settled the succession of the crown, it devolved on Anne, the youngest daughter of king James, by his first marriage; she was then entered on the thirty-eighth year of her age. Upon the king's death, the privy council came in a body to wait on the new queen: she received them with a well considered speech\*. She expressed great respect to the memory of the late king, in whose steps she intended to go, for preserving both church and state, in opposition to the growing power of France, and for maintaining the succession in the protestant line: she pronounced this as she did all her other speeches, with great weight and authority, and with a softness of voice, and sweetness in the pronunciation, that added much life to all she spoke. These, her first expressions, were heard with great and just acknowledgments: both houses of parliament met that day, and made addresses to her, full of respect and duty: she answered both very favourably, and she received all that came to her in so gracious a manner, that they went from her highly satisfied with her goodness, and her obliging deportment; for she hearkened with attention to every thing that was said to her. Two days after, she went to the parliament, which, to the great happiness of the nation, and to the advantage of her government, was now continued to sit, notwithstanding the king's demise, by the act, that was made five years before, upon the discovery of the assassination plot. In her speech she repeated, but more copiously, what she had said to the council, upon her first accession to the throne. There were two passages in this speech that were thought not so well considered: she assured them her heart was "entirely English;" this was looked on as a reflection on the late king: she also added, that they might "depend on her word." Both these expressions had been in her father's first speech, how little soever they were afterwards minded by him. The city of London, and all the counties, cities, and even the subaltern bodies of cities, came up with addresses; in these a very great diversity of style was observed; some mentioned the late king in terms full of respect and gratitude; others named him very coldly; some took no notice of him, nor of his death, and simply congratulated her coming to the crown; and some insinuated reflections on his memory, as if the queen had been ill used by him. The queen received all civilly; to most she said nothing, to others she expressed herself in general words, and some things were given out in her name, which she disowned.

Within a week after her coming to the crown, she sent the earl of Marlborough to Holland, to give the States full assurances of her maintaining the alliances that had been concluded by the late king, and of doing every thing that the common concerns of Europe required. She gave notice also of her coming to the crown to all the princes and states of Europe, except France and Spain. The earl of Marlborough stayed some days in Holland, to very good purpose; the king's death had struck them all with such a damp, that they needed the encouragement of such a message, as he brought them: when they had the first news of the king's death, they assembled together immediately; they looked on one another as men amazed; they embraced one another, and promised they would stick together, and adhere to the interests of their country: they sat up most of the night, and sent out all the

\* See Chandler's Debates, House of Commons, iii. 197.







Engraved by J. Cochran

QUEEN ANNE.

OB 1714

FROM THE PAINTING BY KNELLER IN THE COLLECTION

THE RHONDE THE EARL OF EGREMONT



orders that were necessary upon so extraordinary an emergency. They were now much revived by the earl of Marlborough's presence, and by the temper that both houses of parliament were in with relation to the alliances, and the war with France; and they entered into such confidence with the earl of Marlborough, that he came back as well satisfied with them, as they were with him. The queen in her first speech had asked of the commons the continuance of that revenue, which supported the civil list, and it was granted to her for life, very unanimously, though many seemed to apprehend that so great a revenue might be applied to uses, not so profitable to the public, in a reign that was likely to be frugal, and probably would not be subject to great accidents. When the queen came to pass the act, and to thank the parliament for it, she said, she intended to apply one hundred thousand pounds of it to the public occasions of the present year: this was received with great applause, and particular notice was taken of it in all the addresses that came up afterwards.

At the same time, the queen passed a bill for receiving and examining the public accounts; and in her speech she expressed a particular approbation of that bill. A commission to the same effect had been kept up for six or seven years, during the former reign, but had been let fall for some years; since the commissioners had never been able to make any discovery whatsoever, and so had put the public to a considerable charge, without reaping any sort of fruit from it. Whether this flowed from the weakness or corruption of the commissioners, or from the integrity or cunning of those who dealt in the public money, cannot be determined. The party that had opposed the late king had made this the chief subject of their complaints all the nation over, that the public was robbed, and that private men lived high, and yet raised large estates out of the public treasure. This had a great effect over England; for all people naturally hearken to complaints of this kind, and very easily believe them: it was also said, to excuse the fruitlessness of the former commissions, that no discoveries could be made under a ministry that would surely favour their under-workmen, though they were known to be guilty. One visible cause of men's raising great estates, who were concerned in the administration, was this, that for some years the parliament laid the taxes upon very remote funds, so that, besides the distance of the term of payment, for which interest was allowed, the danger the government itself seemed to be often in (upon the continuance of which the continuance and assignment of these funds was grounded) made that some tallies were sold at a great discount, even of the one half, to those who would employ their money that way, by which great advantages were made. The gain that was made, by robbing the coin, in which many goldsmiths were believed to be deeply concerned, contributed not a little to the raising those vast estates, to which some had grown, as suddenly as unaccountably. All these complaints were easily raised, and long kept up, on design to cast the heavier load on the former ministry: this made that ministry, who were sensible of the mischief this clamour did them, and of their own innocence, promote the bill with much zeal, and put the strongest clauses in it that could be contrived to make it effectual. The commissioners named in the bill were the hottest men in the house, who had raised, as well as kept up, the clamour, with the greatest earnestness. One clause put in the act, was not very acceptable to the commissioners; for they were rendered incapable of all employments during the commission; the act carried a retrospect quite back to the revolution; it was given out that great discoveries would be made by them, and the art and industry with which this was spread over England, had a great effect in the elections to the succeeding parliament. The coronation was on the 23rd of April, on St. George's day; it was performed with the usual magnificence: the archbishop of York (Dr. Sharp) preached a good and wise sermon on the occasion; the queen immediately after that gave orders for naming the electoress of Brunswick, in the collect for the royal family, as the next heir of the crown, and she formed a ministry.

The coldness had continued between the king and her, to such a degree, that though there was a reconciliation after the queen's death, yet it went not much farther, than what civility and decency required: she was not made acquainted with public affairs\*. She was not encouraged to recommend any to posts of trust and advantage; nor had the ministry orders to inform her how matters went, nor to oblige those about

her: only pains had been taken to please the earl of Marlborough, with which he was fully satisfied: nothing had contented him better than the command he had the former year of the troops, which were sent to the assistance of the States. The whigs had lived at a great distance with the queen all the former reign: the tories had made much noise with their zeal for her, chiefly after the death of the duke of Gloucester, though they came seldom to her: her court was then very thin, she lived in due abstraction from business, so that she neither gave jealousy, nor encouraged faction: yet these things had made those impressions on her, that had at first ill effects, which were soon observed and remedied. The late king had sent a message to the earl of Rochester some weeks before he died, letting him know that he had put an end to his commission of lord lieutenant of Ireland, but that was not executed in form; so the commission did still subsist in his person: he was upon that now declared lord lieutenant of Ireland. The lord Godolphin was made lord treasurer; this was very uneasy to himself, for he resisted the motion long; but the earl of Marlborough pressed it in so positive a manner, that he said he could not go beyond sea to command our armies, unless the treasury was put in his hands; for then he was sure that remittances would be punctually made him. He was declared captain-general, and the prince\* had the title of generalissimo of all the queen's forces by sea and land. It was for some time given out, that the prince intended to go beyond sea, to command the armies of the alliance, but this report soon fell; and it was said, the Dutch were not willing to trust their armies to the command of a prince, who might think it below him to be limited by their instructions, or to be bound to obey their orders. The late king had dissolved the commission for executing the office of the lord admiral, and had committed that great trust to the earl of Pembroke: the secrets of that board were so ill kept, and there was such a faction in it, that the king resolved to put it in a single person; the earl of Pembroke was not easily brought to submit to it: he saw it would draw a heavy load on him, and he was sensible that by his ignorance of sea affairs, he might commit errors; yet he took good officers to his assistance: he resolved to command the fleet in person, and he took great pains to put things in such order that it might be soon ready. A land army was designed to go with the fleet, to the command of which the duke of Ormond had been named: but upon new measures, the earl of Pembroke was first sent to, not to go to sea in person, and soon after he was dismissed from his post, with the offer of a great pension, which he very generously refused, though the state of his affairs and family seemed to require it. The prince was made lord high admiral, which he was to govern by a council; the legality of this was much questioned, for it was a new court, which could not be authorized to act, but by an act of parliament; yet the respect paid the queen made that no public question was made of this, so that objections to it never went beyond a secret murmur. The earl of Nottingham and sir Charles Hedges were made secretaries of state: the tories would trust none but the earl of Nottingham, and he would serve with none but Hedges†: the maxim laid down at court, was, to put the direction of affairs in the hands of the tories. The earl of Marlborough assured me this was done, upon the promises they made to carry on the war, and to maintain the alliances; if they kept these, then affairs would go on smoothly in the house of commons, but if they failed in this, the queen would put her business in other hands, which at that time few could believe. The marquis of Normanby was, to the admiration of all men, made lord privy seal, and soon after duke of Buckingham‡. The earl of Abingdon, viscount Weymouth, lord Dartmouth, Seymour, Musgrave, Greenvil, How, Luçon§ Gower, Harcourt, with several others, who had, during the last reign, expressed the most violent and unrelenting aversion to the whole administration, were now brought to the council board, and put in good posts.

\* Prince George of Denmark, the queen's husband. Unlike the same relation of her sister, he was not acknowledged as king.

† Sir Charles Hedges was secretary of state to king William, and lost his office a short time before this monarch's death; but was restored under queen Anne, owing to the earl of Nottingham refusing to be secretary unless he was so reinstated. This was to prevent Vernon taking the office, whom the earl did not wish to have for

his colleague; although he gave out as a more honourable reason, that sir Charles ought to be restored because he had lost his place for a conscientious vote in the house of commons.—Earl of Dartmouth in Oxford edition of this work.

‡ Duke of Normanby and Buckinghamshire. There being suspected to be somewhere latent a claim to the title of Buckingham.—Johnson's Lives of the Poets.

§ Spelt Levison, though still often pronounced as spelt by Burnet.

Before the king's death, it was generally thought, that some in both houses, and many more over the nation, would refuse the abjuration: they had opposed it so vehemently, that no less could be expected from them. Some went out of town when the day came, in which the houses resolved to try all their members; but they soon came to other resolutions, and with them almost the whole party came and took the oath, and professed great zeal for the queen, and an entire satisfaction in her title. Some suspected this was treachery, on design to get the government once into their hands, that so they might deliver it up, or at least that they might carry a parliament so to their mind, that the act might be repealed; and they might think, that then the oath would fall with it. Distinctions were set about among them, which heightened these suspicions; for though in the oath they declared that the pretended prince of Wales had not any right whatsoever to the crown; yet in a paper (which I saw) that went about among them, it was said that "right" was a term of law, which had only relation to "legal rights," but not to a "divine right," or to "birth right:" so since that right was condemned by law, they, by abjuring it, did not renounce the "divine right," that he had by his birth. They also supposed that this abjuration could only bind, during the present state of things, but not in case of another revolution, or of a conquest: this was too dark a thing to be inquired after, or seen into, in the state matters were then in. The queen continued most of the great officers of the household, all the judges except two, and most of the lords lieutenants of counties; nor did she make any change in the foreign ministry. It was generally believed that the earl of Rochester and his party were for severe methods, and for a more entire change, to be carried quite through all subaltern employments; but that the lord Godolphin and the earl of Marlborough were for moderate proceedings; so that though no whigs were put into employments, yet many were kept in the posts they had been put into, during the former reign. Repeated assurances were sent to all the allies, that the queen would adhere firmly to them.

The queen in her first speech to her parliament, had renewed the motion, made by the late king, for the union of both kingdoms; many of those who seemed now to have the greatest share of her favour and confidence, opposed it with much heat, and not without indecent reflections on the Scotch nation; yet it was carried by a great majority, that the queen should be empowered to name commissioners for treating of an union; it was so visibly the interest of England, and of the present government, to shut that back door against the practices of France, and the attempts of the pretended prince of Wales, that the opposition made to this first step towards an union, and the indecent scorn with which Seymour and others treated the Scots, were clear indications that the posts they were brought into had not changed their tempers; but that, instead of healing matters, they intended to irritate them farther by their reproachful speeches. The bill went through both houses, notwithstanding the rough treatment it met with at first\*.

Upon the earl of Marlborough's return from Holland, and in pursuance of the concert at the Hague, the queen communicated to both houses her design to proclaim war with France; they approving of it, war was proclaimed on the fourth day of May: the house of commons made an address to thank the queen for ordering the princess Sophia to be prayed for; and as the right, that recommended her, was in her own blood, she was designed by her Christian name, and not by her title: it came to be known that this was opposed in council by the marquis of Normanby, but that it was promoted by the lord treasurer (Godolphin).

A report was spread about town, and over the nation, with such a seeming assurance, that many were inclined to believe it, that a scheme had been found among the king's papers for setting aside the queen; some added, for imprisoning her, and for bringing the house of Hanover immediately into the succession; and that, to support this, a great change was to be made in all the employments and offices over the whole kingdom; this, many of those who were now in posts, had talked of in so public a manner, that it appeared they intended to possess the whole nation with a belief of it; hoping thereby to alienate the people from those who had been in the late king's confidence, and disgrace all that side, in order to the carrying all elections of parliament for men of their party. Five lords had been ordered by

\* In the compass of restricted notes, it is not possible to detail the proceedings connected with this most important measure. The reader is therefore referred to De Foe's excellent "History of the Union."

the queen to visit the late king's papers, and bring her such of them as related to the alliances, or other affairs, of the crown ; these were the dukes of Somerset and Devonshire, and the earls of Marlborough, Jersey, and Albemarle : the whigs saw the design which was driven at by those false reports : so a motion was made in the house of lords by the earl of Carlisle, and seconded by the lords Wharton, Halifax, and others, that an inquiry should be made into the truth of that report, and of all other stories of that kind, that so, if there was any truth in them, such as had been concerned in those wicked designs might be punished ; and if they were found to be false, that those who spread them about might be chastised. Upon this the house desired that those lords who had visited the late king's papers, would let them know if they had met with any among them relating to the queen's succession, or to the succession of the house of Hanover. Four of them were then in the house, only the earl of Marlborough was ill that day, so the four who were present said, they had found nothing that did in any sort relate to that matter, and this was confirmed by the earl of Marlborough to some peers, who were sent by the house to ask him the same question. Upon which a vote passed, that these reports were false and scandalous ; and an order was made for prosecuting the spreaders of them. Some books had been published, charging the late ministry and the whole whig party with the like designs : these books were censured, and the authors of them were ordered to be prosecuted ; though both the marquis of Normanby and the earl Nottingham did all they could to excuse those writers. When the falsehood of those calumnies was apparent, then it was given out, with an unusual confidence, that no such reports had been ever set about ; though the contrary was evident, and the thing was boldly asserted in those books ; so that a peculiar measure of assurance was necessary to face down a thing which they had taken such pains to infuse into the minds of the credulous vulgar, all England over. The earl of Nottingham, to divert this inquiry, moved, that another might be made into those books, in which the murder of king Charles the First was justified ; though the provocation given to some of these, was, by a sermon preached by Dr. Binks before the convocation, on the 30th of January, in which he drew a parallel between king Charles's sufferings and those of our Saviour ; and, in some very indecent expressions, gave the preference to the former. When the business of the session of parliament was all done, the queen dismissed them, with thanks for the money they had given, recommending earnestly to them a good agreement among themselves, assuring them that as on the one hand she would maintain the toleration, so on the other hand, her own principles would oblige her to have a particular regard to those who expressed the truest zeal for the church of England : thus the session ended, and the proclamation dissolving the parliament, with the writs for a new one, came out not long after.

During some part of this parliament, a convocation sat ; the faction raised in the lower house had still the majority ; several books were written to show that, by our constitution, the power of adjourning was wholly in the archbishop : the original book of the convocation that sat in the year 1661, being happily found, it showed the practice of that convocation agreed with the bishops in every particular ; but though it was communicated to the lower house, that had no effect on them ; for when parties are once formed, and a resolution is taken up on other considerations, no evidence can convince those who have beforehand resolved to stick to their point. But the prolocutor dying, and the king's death following, the convocation was by that dissolved ; since in the act, that impowered the parliament to sit after the king's death, no provision was made to continue the convocation. The earl of Rochester moved in the house of lords, that it might be considered whether the convocation was not a part of the parliament, and whether it was not continued in consequence of the act that continued the parliament ; but that was soon let fall, for the judges were all of opinion that it was dissolved by the king's death.

Upon the queen's accession to the crown, all these angry men that had raised this flame in the church, as they treated the memory of the late king with much indecent contempt, so they seemed very confident, that for the future all preferments should be distributed among them (the queen having superseded the commission for ecclesiastical preferments) and they thought they were full of merit, and were as full of hopes.

Such an evil spirit as is now spread among the clergy, would be a sad speculation at any

time, but in our present circumstances, when we are near so great a crisis, it is a dreadful thing; but a little to balance this, I shall give an account of more promising beginnings and appearances, which though they are of an elder date, yet of late they have been brought into a more regulated form. In king James's reign, the fear of popery was so strong, as well as just, that many, in and about London, began to meet often together, both for devotion, and for their further instruction: things of that kind had been formerly practised, only among the puritans and the dissenters; but these were of the church, and came to their ministers to be assisted with forms of prayer and other directions: they were chiefly conducted by Dr. Beveridge and Dr. Horneck. Some disliked this, and were afraid it might be the original of new factions and parties; but wiser and better men thought it was not fit nor decent to check a spirit of devotion, at such a time: it might have given scandal, and it seemed a discouraging of piety, and might be a mean to drive well-meaning persons over to the dissenters. After the revolution, these societies grew more numerous, and for a greater encouragement to devotion, they got such collections to be made, as maintained many clergymen to read prayers in so many places, and at so many different hours, that devout persons might have that comfort at every hour of the day: there were constant sacraments every lord's day in many churches: there were both great numbers and greater appearances of devotion at prayers and sacraments than had been observed in the memory of man \*. These societies resolved to inform the magistrates of swearers, drunkards, profaners of the lord's day, and of lewd houses; and they threw in the part of the fine, given by law to informers, into a stock of charity; from this they were called *societies of reformation*: some good magistrates encouraged them, but others treated them roughly. As soon as queen Mary heard of this, she did, by her letters and proclamations, encourage these good designs, which were afterwards prosecuted by the late king. Other societies set themselves to raise charity schools for teaching poor children, for clothing them and binding them out to trades: many books were printed, and sent over the nation by them, to be freely distributed; these were called societies for propagating Christian knowledge: by this means some thousands of children are now well educated and carefully looked after. In many places of the nation, the clergy met often together, to confer about matters of religion and learning; and they got libraries to be raised for their common use. At last a corporation was created by the late king, for propagating the gospel among infidels, for settling schools in our plantations, for furnishing the clergy that were sent thither, and for sending missionaries among such of our plantations as were not able to provide pastors for themselves. It was a glorious conclusion of a reign that was begun with preserving our religion, thus to create a corporation for propagating it to the remoter parts of the earth, and among infidels: there were very liberal subscriptions made to it by many of the bishops and clergy, who set about it with great care and zeal; upon the queen's accession to the crown, they had all possible assurances of her favour and protection, of which, upon every application, they received very eminent marks.

The affairs of Scotland began to be somewhat embroiled; by an act made soon after the revolution, it was provided, that all princes succeeding to the crown should take the coronation oath before they entered upon their regal dignity; but no direction was given concerning those who should tender it, or the manner in which it should be taken: so this being left undetermined, the queen called together all the late king's ministers for that kingdom, and in the presence of about twelve of them, she took the coronation oath; men who were disposed to censure every thing, said, that this ought not to be done, but in the presence of some, deputed for that effect, either by the parliament, or at least by the privy council of that kingdom. Another point occasioned a more important debate.

Upon the assassination plot, an act had passed in Scotland for continuing the parliament, that should be then in being, six months after the death of the king, with two special clauses in it; the first was, that it should meet twenty days after the death of the king; but the queen did, by several prorogations, continue the parliament almost three months after the king's death before it was opened. Some said the parliament was by this dis-

\* See "An Account of the Societies for the Reformation of Manners, &c.," published in 1699, with a portrait of King William.

solved, since it did not meet upon the day limited by the act to continue it; but there was another proviso in the act, that saved to the crown the full prerogative of adjourning, or dissolving, it within that time; yet in opposition to that, it was acknowledged, that as to all subsequent days of meeting, the prerogative was entire, but the day that was limited, that is the twenty-first after the king's death, seemed to be fixed for the first opening the session.

The second clause was, a limitation on the power of the parliament, during their sitting, that it should not extend to the repealing laws; they were empowered only to maintain the protestant religion, and the public peace of the country; it was therefore said, that the queen was peaceably obeyed, and the country now in full quiet, so there was no need of assembling the parliament: the end of the law being compassed, it was said, the law fell of itself, and therefore it was necessary to call a new parliament; for the old one, if assembled, could have no authority but to see to the preservation of religion, and the peace of the country, their power being limited to those two heads by the act that authorized their sitting. In opposition to this, it was said, that the act which gave them authority to sit as a parliament for six months, gave them the full authority of a parliament: the directing them to take care of some more important matters, did not hinder their meddling with other matters, since no parliament can limit a subsequent one: it was also said, that, since the queen was now engaged in a war, the public peace could not be secured without such a force and such taxes to maintain it as the present state of affairs required. The duke of Queensbury, and his party, were for continuing the parliament; but duke Hamilton, and the others, who had opposed that duke in the last parliament, complained highly of this way of proceeding: they said, they could not acknowledge this to be a legal parliament, they could not submit to it, but must protest against it; this was ominous; a reign was to be begun with a parliament liable to a dispute; and from such a breach it was easy to foresee a train of mischief likely to follow. These lords came up, and represented to the queen and those in favour with her, their exceptions to all that was intended to be done; every thing they said was heard very calmly: but the queen was a stranger to their laws, and could not take it upon her to judge of them, so she was determined by the advice of the privy council of that kingdom. The lords that came up to oppose the duke of Queensbury continued to press for a new parliament, in which they promised to give the queen all that she could ask of them, and to consent to an act of indemnity for all that was past in the former reign. But it was thought that the nation was then in too great a heat to venture on that, and that some more time was necessary to prepare matters, as well as men's minds, before a new parliament should be summoned. Both parties went down, and both being very sensible that the presbyterian interest would, with its weight, turn that scale into which it should fall, great pains were taken by both sides to gain that party. On the one hand, they were made to apprehend what a madness it would be for them to provoke the queen in the beginning of her reign, who might be enough disposed to entertain prejudices against them; these would be much heightened, if in a point, in which conscience could not be pretended, they should engage in a faction against her, especially when they could not say that any cause of jealousy was given; on the contrary, the queen had, in all her public letters, promised to maintain presbyterian government; and though that gave great offence in the late king's time, when those public letters were printed, yet now this passed without censure. The other party was as busy to inflame them; they told them the queen was certainly in her heart against them: all those who were now in her confidence, the earls of Rochester and Nottingham in particular, were enemies to presbyterian government: good words were now given them to separate them from a national interest, knowing well that if they went off from that, and so lost the hearts of the nation, they lost that in which their chief strength lay: the party that now governed, as soon as they should have carried the present point by their help, and rendered them odious by their concurring in it, would strengthen themselves at court by entering into the episcopal interest, and trying to introduce episcopacy into Scotland; which would be soon brought about, if the presbyterians should once lose their popularity: these were the methods and reasonings that were used on both hands.

The parliament was brought together on the 9th of June; at the opening the session duke

Hamilton read a paper, importing, that this was not a legal parliament, since the only ends for which they were impowered to meet, were already obtained ; the queen was obeyed, religion was secured, and the peace of the country was settled ; so there seemed to be no occasion for their continuance. Upon which he and seventy-four more withdrew ; but one hundred and twelve members continued to sit, and voted themselves to be a free and legal parliament, and declared, that pursuant to their ancient laws, it was high treason to impugn their authority. They ratified all acts made in favour of presbyterian government, in which they proceeded with such violence, that sir Alexander Bruce moving, that all those acts might be read, for he believed some of them might be found inconsistent with monarchy, he was for that expelled the house. They by one act recognized the queen's title ; by another, they impowered her to name commissioners to treat of the union of the two kingdoms : and by a third, they gave a tax sufficient to keep up the force that was then in Scotland for two years longer ; and so the parliament was brought to a quiet conclusion.

Ireland was put under lords justices, named by the earl of Rochester, and the trustees continued still in their former authority.

While our affairs were in this posture at home, the first step that was made beyond sea, was by the house of Hanover ; it had been concerted with the late king before his sickness, and was set on foot the week he died. The design was well laid, and the execution was managed with great secrecy : the old duke of Zell, and his nephew the elector of Brunswick, went in person with an army that was rather inferior in strength to that of the dukes of Wolfenbuttel ; they entered their country, while their troops were dispersed in their quarters ; they surprised some regiments of horse, and came and invested both Wolfenbuttel and Brunswick at once, and cut off all communication between them ; having them at this disadvantage, they required them to concur in the common councils of the empire, to furnish their quota for its defence, and to keep up no more troops than were consistent with the safety of their neighbours ; for it was well known, that the greatest part of their men were subsisted with French pay, and that they had engaged themselves to declare for France, as soon as it should be required. Duke Rodolph, the elder brother, was a learned and pious prince ; but as he was never married, so he had turned over the government to the care of his brother duke Anthony, who was a prince of a temper very much different from his brother's : he could not bear the advancement of the house of Hanover ; so in opposition to them, he went into the interests of France ; but being thus surprised, he went away in discontent, and his brother broke through all those measures in which he had involved himself ; in conjunction with duke Anthony, the duke of Saxe Gotha had entered into the same engagements with France ; but was now forced to fall into the common interests of the empire.

Thus all the north of Germany was united, and ready to declare against France ; only the war in Poland was so near them, that they were obliged to continue armed, and see the issue of that war : the king of Sweden was engaged in it, with such a determined opposition to king Augustus, that there was no hope of treating a peace, though it was endeavoured both by England and the States : the king of Sweden seemed to have accustomed himself to fatigue and danger, so that he grew to love both ; and though the Muscovites had fallen upon the frontiers of Sweden, where they had gained some advantages, yet even that could not divert him from carrying on the war in Poland. A diet was summoned there, but it broke up in confusion, without coming to any conclusion, only they sent ambassadors to the king of Sweden to treat of a peace. The king of Prussia was very apprehensive of the consequences of this war, which was now in the neighbourhood of Prussia ; and the king of Sweden threatened to invade Saxony with the troops that he had in Pomerania, which could not be done, but through his territories. The king of Sweden delayed giving audience to the ambassadors of Poland ; and marched on to Warsaw ; so the king of Poland retired to Cracow, and summoned those palatines who adhered to him, to come about him : when the king of Sweden came to Warsaw, he sent to the cardinal to summon a diet for choosing a new king ; this went further than the resentments of the Poles yet carried them : but the rest of this matter will appear hereafter.

All Germany was now united, only the two brothers of Bavaria. The court of Vienna

set on foot several negotiations with the elector of Bavaria, but all to no purpose: for that elector seemed only to hearken to their propositions, that he might make the better terms with France: the elector of Cologne put Liege, and all the places that he had on the Rhine, except Bonn, into the hands of the French; it was said, that he kept Bonn, hoping to be able to make his peace with the emperor, by putting that into his possession; but he was prevailed on afterwards to deliver that likewise to the French. In this the elector acted against the advice of all his council; and as the dean of Liege was making some opposition to him, he was seized on, and carried away prisoner in a barbarous manner; the elector, to excuse his letting the French into his country, pretended, he only desired the assistance of some of the troops of the circle of Burgundy to secure his dominions; for as France was not ashamed of the slightest pretences, so she taught her allies to make excuses unbecoming the dignity of princes.

The first step of this war was to be made in the name of the elector Palatine, in the siege of Keiserwert, which, whilst in the enemy's hands, exposed both the circle of Westphalia, and the States' dominions; for their places on the Waal, being in no good condition, were laid open to the excursions of that garrison. Negotiations were still carried on in several courts: Methuen was sent to try the court of Portugal; he came quickly back with full assurances of a neutrality, and a freedom of trade in their ports; insinuations were given of a disposition to go further, upon a better prospect and better terms; so he was presently sent back to drive that matter as far as it would go. The pope pretended he would keep the neutrality of a common father, but his partiality to the French appeared on many occasions; yet the court of Vienna had that veneration for the see, that they contented themselves with expostulating, without carrying their resentments further. The Venetians and the great duke followed the example set them by the pope, though the former did not escape so well, for their country suffered on both hands.

The Prince of Baden drew together the troops of the empire; he began with blocking up Landau, and that was soon turned to a siege; Catinat was sent to command the French army in Alsace, but it was so weak, that he was not able to make head with it. In the end of April, the Dutch formed three armies; one under the prince of Nassau, undertook the siege of Keiserwert; another was commanded by the earl of Athlone, and lay in the duchy of Cleve, to cover the siege; a third, commanded by Cohorn, broke into Flanders, and put a great part of that country under contribution. Mareschal Boufflers drew his army together, and having laid up great magazines in Ruremonde and Venlo, he passed the Maes with his whole army. The duke of Burgundy came down post from Paris to command it; the States apprehended that so great a prince would, at his first appearance, undertake somewhat worthy of him, and thought the design might be upon Maestricht; so they put twelve thousand men in garrison there; the auxiliary troops from Germany did not come so soon as was expected, and cross winds stopped a great part of our army; so that the earl of Athlone was not strong enough to enter into action with Mareschal Boufflers; but he lay about Cleve, watching his motions. The siege of Keiserwert went on slowly; the Rhine swelling very high, so filled their trenches, that they could not work in them. Mareschal Tallard was sent to lie on the other side of the Rhine, to cannonade the besiegers, and to send fresh men into the town: the king of Prussia came to Wezel, from whence he furnished the besiegers with all that was necessary. There was one vigorous attack made, in which many were killed on both sides: in conclusion, after a brave defence, the counterscarp was carried, and then the town capitulated, and was rased according to agreement. When the duke of Burgundy saw that the siege could not be raised, he tried to get between the earl of Athlone and Nimeguen: the design was well laid, and wanted little of being punctually executed; it must have had fatal effects had it succeeded; for the French would either have got into Nimeguen, or have forced the earl of Athlone to fight at a great disadvantage. But the earl of Athlone so carefully watched their motions, that he got before them, under the cannon of Nimeguen; yet by this means he was forced to abandon Cleve. The French discharged their fury upon that town, and on the park, and all the delicious walks of that charming place, little to the honour of the prince who commanded the army; for upon such occasions, princes are apt to be civil to one another, and not to make havoc of such embell-

lishments as can be of no use to them. The earl of Athlone's conduct on this occasion raised his credit as much as it sunk Boufflers', who, though he had the superior army, animated by the presence of so great a prince, yet was able to do nothing, but was unsuccessful in every thing that he designed; and his parties, that at any time were engaged with those of the earl of Athlone, were beaten almost in every action\*.

Soon after this the earl of Marlborough came over and took the command of the army. The earl of Athlone was set on by the other Dutch generals to insist on his quality of velt marshal, and to demand the command by turns: he was now in high reputation by his late conduct, but the States obliged him to yield this to the earl of Marlborough, who indeed used him so well that the command seemed to be equal between them. The earl of Athlone was always inclined to cautious and sure, but feeble, counsels; but the earl of Marlborough, when the army was brought together, finding his force superior to the duke of Burgundy, passed the Maes at the Grave, and marched up to the French. They retired as he advanced: this made him for venturing on a decisive action; but the Dutch apprehended the putting things to such a hazard, and would not consent to it. The pensioner, and those who ordered matters at the Hague, proceeded the more timorously, because, upon the king's death, those who had always opposed him were beginning to form parties, in several of their towns, and were designing a change of government: so that a public misfortune in their conduct, would have given great advantages to those who were watching for them. The pensioner was particularly aimed at: this made him more unwilling to run any risk. Good judges thought that if the earl of Marlborough's advices had been followed, matters might have been brought to a happy decision; but as he conducted the army prudently, so he was careful not to take too much upon him. The duke of Burgundy finding himself obliged to retreat as the confederate army advanced, thought this was not suitable to his dignity; so he left the army, and ended his first campaign very ingloriously: and it seems the king was not satisfied with mareschal Boufflers, for he never commanded their armies since that time†. The earl of Marlborough went on, taking several places, which made little or no resistance; and seeing that mareschal Boufflers kept at a safe distance, so that there was no hope of an engagement with him, he resolved to fall into the Spanish Guelder: he began with Venlo. There was a fort on the other side of the river that commanded it, which was taken by the lord Cutts in so gallant a manner, that it deserved to be much commended by every body but himself: but he lost the honour that was due to many brave actions of his, by talking too much of them. The young earl of Huntington showed upon this, as upon many other occasions, an extraordinary heat of courage. He called to the soldiers, who had got over the pallisades, to help him over, and promised them all the money he had about him, which he performed very generously, and led them on with much bravery and success. Upon the fort being taken, the town capitulated. Ruremonde and Stevenzwert were taken in a few days after; for mareschal Boufflers did not come to their relief. Upon these successes, that came quicker than was expected, the earl of Marlborough advanced to Liege, which was a place of more importance, in which he might put a great part of his army in winter quarters. The town quickly capitulated, the citadel was carried by storm, and another fort in the town likewise surrendered. Here was a very prosperous campaign: many places were taken with little resistance, and an inconsiderable loss, either of time or of men. The earl of Marl-

\* Louis Francis, due de Boufflers, is so frequently mentioned in this work, that some notice of the dates of his life is required. He was born in 1644, and was a soldier from boyhood. Before he was twenty-five, he was a colonel of dragoons, under Crequi and Turenne. His exploits as commander-in-chief were worthy of a great general, and drew forth appropriate compliments from his opponents. It has been stated in a previous part of this work, that when king William took Namur, he detained Boufflers in retaliation for the French having detained the garrison of Dixmude. "Then," said Boufflers, "my garrison, not myself, should be detained." "Sir," it was answered, "you are of more value than

10,000 soldiers." He defended Lille for four months against prince Eugene, and the latter told him, "I am vain of taking the town, but I would rather have the glory of defending it as you have." For this service it was that Boufflers was raised to the peerage; and on entering the parliament, surrounded by his officers, he turned and said to them, "It is to you I am indebted for all these favours; I have nothing to glory in but the honour of having commanded so many heroes." He died in 1711.—Moreri's Hist. Dictionary.

† He did subsequently, as is noticed in the previous note, and with M. Villars at the battle of Malplaquet, in 1709.

borough's conduct and deportment gained him the hearts of the army. The States were highly satisfied with every thing he did, and the earl of Athlone did him the justice to own that he had differed in opinion from him in every thing that was done, and that therefore the honour of their success was wholly owing to him\*.

The campaign was kept open till November, and at the end of it, an accident happened, that had almost lost the advantages and honour got in it. The earl of Marlborough thought the easiest and quickest, as well as the safest way of returning to the Hague, was by some of those great boats that pass on the Maes. There was one company in the boat in which he went, and two companies went in another, that was to be before him. There were also some troops ordered to ride along the banks for their guard. The great boat that went before sailed away too quick, and the horse mistook their way in the night. The French had yet the town of Guelder in their hands, which was indeed all they had of the Spanish Guelder. A party from thence was lying on the banks of the river, waiting for an adventure, and they seized this boat, the whole company being fast asleep. So they had now both the earl of Marlborough and Opdam, one of the Dutch generals, and Gueldermalsen, one of the States' deputies, in their hands. They did not know the earl of Marlborough, but they knew the other two. They both had passes, according to a civility usually practised among the generals of both sides. The earl of Marlborough's brother had a pass, but his ill health made him leave the campaign, so his pass was left with his brother's secretary, and that was now made use of for himself. It is true the date of the pass was out, but they being in haste, and in the night, that was not considered. The boat was rifled, and they took presents from those who they believed were protected by their passes. So, after a stop of some hours, they were let go, and happily escaped the danger. The news of their being taken got before them to the Hague; upon which the States immediately met under no small consternation. They sent orders to all their forces to march immediately to Guelder, and to threaten the garrison with all extremities, unless they should deliver the prisoners; and never to leave the place till they had either taken it, or had the generals delivered to them. But before these orders could be dispatched, the earl of Marlborough came to the Hague, where he was received with inexpressible joy, not only by the States, but by all the inhabitants: for he was beloved there to a high degree. Soon after his return to England the queen made him duke of Marlborough; and both houses of parliament sent some of their number to him, with their thanks for the great services he had done this campaign.

The campaign likewise ended happily on the Upper Rhine. Landau was taken after a long siege: the king of the Romans came in time to have the honour of taking it: but with so great a train, and so splendid an equipage, that the expence of it put all the emperor's affairs in great disorder; the most necessary things being neglected, while a needless piece of pomp devoured so great a part of their treasure. The siege was stopped some weeks for want of ammunition, but in conclusion the place was taken.

The necessities of the king of France's affairs forced him at this time to grant the elector of Bavaria all his demands. It is not yet known what they were. But the court of France did not agree to what he asked, till Landau was given for lost; and then seeing that the prince of Baden might have overrun all the Hondruck, and carried his winter quarters into the neighbourhood of France: it was necessary to gain this elector on any terms. If this agreement had been sooner made, probably the siege, how far soever it was advanced, must have been raised. The elector made his declaration when he possessed himself of Ulm, which was a rich free town of the empire. It was taken by a stratagem that, how successful soever it proved to the elector, was fatal to him who conducted it; for he was killed by an accident, after he was possessed of the town. This gave a great alarm to the neighbouring circles and princes, who called away their troops from the prince of Baden to their own defence; by this means his army was much diminished: but, with the troops that were left him, he studied to cut off the communication between Strasburg and Ulm. The emperor with the diet proceeded according to their forms against the elector; but he was now

\* For the fullest particulars of these events, and all others in the life of this great commander, reference may be made to Coxe's "Memoirs, &c. of the duke of Marlborough."

engaged, and continued firm to the interests of France. Mareschal Villars\*, who commanded the French army in Alsace, had orders to break through the Black Forest, and join the Bavarians. His army was much superior to the prince of Baden, but the latter had so posted himself that, after an unsuccessful attempt, Villars was forced to return to Strasburg.

In Italy the duke of Vendome began with the relief of Mantua, which was reduced to great extremities by the long blockade prince Eugene had kept about it. He had so fortified the Oglio, that the duke of Vendome†, apprehending the difficulty of forcing his posts, marched through the Venetian territories (notwithstanding the protestations of the republic against it), and came to Goito, with a great convoy for Mantua. Prince Eugene drew his army all along the Mantuan Fossa, down to Borgofortes: he was forced to abandon a great many places; but apprehending that Bresello might be besieged, and considering the importance of that place, he put a strong garrison in it. He complained much that the court of Vienna seemed to forget him, and did not send him the reinforcements they had promised. It was thought that his enemies at that court, under colour of supporting the king of the Romans in his first campaign, were willing to neglect every thing that related to him; by this means the best army the emperor ever had was left to moulder away to nothing.

King Philip took a very extraordinary resolution of going over to Italy, to possess himself of the kingdom of Naples, and to put an end to the war in Lombardy: he was received at Naples with outward splendour, but he made little progress in quieting the minds of that unruly kingdom. He did not obtain the investiture of it from the pope, though he sent him a cardinal legate with a high compliment. The Germans thought this was too much, while the French thought it was not enough; yet upon it the emperor's ambassador left Rome. King Philip was conducted from Naples to Final by the French fleet that had carried him from Barcelona to Naples. As he was going to command the duke of Vendome's army, he was met by the duke of Savoy, of whom there was some jealousy, that, having married his two daughters so greatly, he began now to discern his own distinct interest, which called upon him to hinder the French from being masters of the Milanese. King Philip wrote to the duke of Vendome not to fight prince Eugene till he could join him. He seemed jealous lest that prince should be driven out of Italy before he could come to share in the honour of it; yet, when he came, he could do nothing, though prince Eugene was miserably abandoned by the court of Vienna. Count Mansfield, president of the council of war, was much suspected as corrupted by France. The supplies promised were not sent into Italy. The apprehensions they were under of the elector of Bavaria's declaring, some time before he did it, gave a colour to those who were jealous of prince Eugene's glory, to detain the recruits and troops that had been promised him for the emperor's own defence. But though he was thus forsaken, yet he managed the force he had about him with great skill and conduct. When he saw Luzara was in danger, he marched up to the king of Spain, and, as that king very oddly expressed it, in a letter to the king of France, he had the boldness (*audace*) to attack him; but, which was worse, he had the boldness likewise to beat him; and, if he had not been shut in by rivers, and the narrowness of the ground, very probably he would have carried the advantage he had in that engagement much further. The ill state of his affairs forced him upon that desperate action in which he succeeded beyond expectation. It put the French to such a stand, that all they could do after this was only to take Luzara, and some other considerable places; but prince Eugene still kept his posts. King Philip left the army and returned, after an inglorious campaign, into Spain, where the grandes were much disgusted to see themselves so much despised, and their affairs wholly conducted by French councils. The French tried, by all possible methods, to engage the Turks in a new war with the emperor: and it was believed that the grand vizier was entirely gained, though the mufti,

\* Louis Hector, duc de Villars, was born in 1653, and died in 1734. He wrote his own "Memoirs," which have been published with a continuation, and give much information concerning this continental war.

† Of Lewis Joseph, duc de Vendome, there is a good memoir in the *Dictionnaire Historique*. He was born in 1654, and died in 1712.

and all who had any credit in that court, were against it. The grand vizier was strangled, and so this design was prevented.

The court of France was in a management with the cardinal primate of Poland to keep that kingdom still embroiled. The king of Sweden marched on to Cracow, which was much censured as a desperate attempt, since a defeat there must have destroyed him and his army entirely, being so far from home. He attacked the king of Poland, and gave him such an overthrow, that, though the army got off, he carried both their camp and artillery. He possessed himself of Cracow, where he stayed some months, till he had raised all the money they could produce; and though the Muscovites with the Lithuanians destroyed Livonia, and broke into Sweden, yet that could not call him back. The duke of Holstein, who had married his eldest sister, was thought to be gained by the French to push on this young king to prosecute the war with such an unrelenting fury, in which he might have a design for himself, since the king of Sweden's venturing his own person so freely might make way for his duchess to succeed to the crown. That duke was killed in the battle of Cracow. There was some hopes of peace this winter, but the two princes were so exasperated against one another, that it seemed impossible to compose that animosity. This was very unacceptable to the allies; for both kings were well inclined to support the confederacy, and to engage in the war against France, if their own quarrels could have been made up. The king of Sweden continued still so virtuous and pious in his whole deportment, that he seemed formed to be one of the heroes of the Reformation. This was the state of affairs on the continent during this campaign.

One unlooked for accident sprung up in France. An insurrection happened in the Cevennes in Languedoc; of which I can say nothing that is very particular, or well assured. When it first broke out, it was looked on as the effect of oppression and despair, which would quickly end in a scene of blood; but it had a much longer continuance than was expected; and it had a considerable effect on the affairs of France: for an army of ten or twelve thousand men, who were designed either for Italy or Spain, was employed without any immediate success in reducing them.

I now change the element, to give an account of our operations at sea. Rook had the command. The fleet put to sea much later than we hoped for. The Dutch fleet came over about a month before ours was ready: the whole consisted of fifty ships of the line, and a land army was put on board, of twelve thousand men, seven thousand English and five thousand Dutch. Rook spoke so coldly of the design he went upon before he sailed, that those who conversed with him were apt to infer that he intended to do the enemy as little harm as possible. Advice was sent over from Holland of a fleet that sailed from France, and was ordered to call in at the Groyne. Munden was recommended by Rook to be sent against this fleet; but, though he came up to them with a superior force, yet he behaved himself so ill, and so unsuccessfully, that a council of war was ordered to sit on him. They indeed acquitted him, some excusing themselves, by saying, that if they had condemned him, the punishment was death; whereas they thought his errors flowed from a want of sense: so that it would have been hard to condemn him for a defect in that which nature had not given him. Those who recommended him to the employment seemed to be more in fault. This acquittal raised such an outcry that the queen ordered him to be broke. Rook, to divert the design that he himself was to go upon, wrote from St. Helen's that the Dutch fleet was victualled only to the middle of September. So that, being then in July, no great design could be undertaken, when so large a part of the fleet was so ill provided. When the Dutch admiral heard of this, he sent to their ambassador, to complain to the queen of this misinformation; for he was victualled till the middle of December. They were for some time stopped by contrary winds, accidents, and pretences, many of which were thought to be strained and sought for; but the wind being turned wholly favourable after some cross winds, which had rendered their passage slow and tedious, they came, on the 12th of August, into the bay of Cadiz. Rook had laid no disposition beforehand how to proceed upon his coming thither. Some days were lost on pretence of seeking for intelligence. It is certain our court had false accounts of the state the place was in, both with

relation to the garrison and the fortifications : the garrison was much stronger, and the fortifications were in a better condition, than was represented. The French men of war and the galleys that lay in the bay retired within the puntals. In the first surprise it had been easy to have followed them, and to have taken or burnt them, which Fairborn offered to execute, but Rook and the rest of his creatures did not approve of this. Some days were lost before a council of war was called. In the meanwhile the duke of Ormond sent some engineers and pilots to sound the south side of Cadiz, near the island of St. Pedro ; but while this was doing, the officers, by the taking of some boats, came to know that those of Cadiz had sent over the best of their goods and other effects to the port of St. Maries, an open village over against it, on the continent of Spain ; so that here was good plunder to be had easily, whereas the landing on the isle of Cadiz was likely to prove dangerous, and, as some made them believe, impracticable. In the council of war, in which their instructions were read, it was proposed to consider how they should put them in execution. O'Haro, one of the general officers, made a long speech against landing : he showed how desperate an attempt it would prove, and how different they found the state of the place from the representation made of it in England. The greater number agreed with him ; and all that the duke of Ormond could say to the contrary was of no effect. Rook seemed to be of the same mind with the duke, but all his dependents were of another opinion, so this was thought to be a piece of craft in him. In conclusion, the council of war came to a resolution not to make a descent on the island of Cadiz ; but, before they broke up, those whom the duke had sent to sound the landing places on the south side came and told them that, as they might land safely, so the ships might ride securely on that side : yet they had no regard to this, but adhered to their former resolution : nor were there any orders given for bombarding the town. The sea was for the most part very high while they lay there, but it was so calm for one day, that the engineers believed they could have done much mischief, but they had no orders for it ; and indeed it appeared very evidently that they intended to do nothing but rob St. Maries.

A landing on the continent was resolved on, and though the sea was high, and the danger great, yet the hope of spoil made them venture on it. They landed at Rota : a party of Spanish horse seemed to threaten some resistance, but they retired, and so our men came to St. Maries, which they found deserted, but full of riches. Both officers and soldiers set themselves with great courage against this tempting but harmless enemy. Some of the general officers set a very ill example to all the rest, chiefly O'Haro and Bellasis. The duke of Ormond tried to hinder it, but did not exert his authority ; for, if he had made some examples at first, he might have prevented the mischief that was done. But the whole army running so violently on the spoil, he either was not able, or, through a gentleness of temper, was not willing, to proceed to extremities. He had published a manifesto, according to his instructions, by which the Spaniards were invited to submit to the emperor ; and he offered his protection to all that came in to him : but the spoil of St. Maries was thought an ill commentary on that text. After some days of unfruitful trials on the forts of that side it appeared that nothing could be done ; so about the middle of September they all embarked. Some of the ships' crews were so employed, in bringing and bestowing the plunder, that they took not the necessary care to furnish themselves with fresh water. Rook, without prosecuting his other instructions, in case the design on Cadiz miscarried, gave orders only for a squadron to sail to the West Indies with some land forces ; and though he had a fleet of victuallers that had provisions to the middle of December, he ordered them to sail home : by this means the men of war were so scantily furnished, that they were soon forced to be put on short allowance. Nor did Rook send advice boats, either to the ports of Algarve or to Lisbon, to see what orders or advices might be lying for him, but sailed in a direct course for England ; but some ships, not being provided with water for the voyage to England, touched on the coast of Algarve to take in water.

They met with intelligence there that the Spanish plate fleet, with a good convoy of French men of war, had put in at Vigo, a port in Galicia, not far from Portugal, where the entrance was narrow and capable of a good defence. It widened within land into a bay or mouth of a river, where the ships lay very conveniently. He who commanded the French

fleet ordered a boom to be laid across the entrance, and forts to be raised on both sides: he had not time to finish what he designed, otherwise the place had been inaccessible; but, as it was, the difficulty in forcing this port was believed to be greater than any they would have met with if they had landed on the isle of Cadiz. As soon as this fleet had put in at Vigo, Methuen, the queen's minister at Lisbon, sent advertisements of it to all the places where he thought our advice-boats might be ordered to call. Rook had given no orders for any to call, and so held on his course towards Cape Finisterre. But one of his captains, Hardy, whilst he watered in Algarve, heard the news there; upon which he made all the sail he could after Rook, and overtook him. Rook, upon that, turned his course towards Vigo, very unwillingly as was said, and, finding the advice was true, he resolved to force his way in.

The duke of Ormond landed with a body of the army, and attacked the forts with great bravery, while the ships broke the boom and forced the port. When the French saw what was done, they left their ships, and set some of the men-of-war and some of the galleons on fire. Our men came up with such diligence that they stopped the progress of the fire; yet fifteen men-of-war and eight galleons were burnt or sunk: but our men were in time to save five men-of-war and five galleons, which they took. Here was a great destruction made, and a great booty taken, with very little loss on our side. One of our ships was set on fire by a fire-ship, but she too was saved, though with the loss of some men, which was all the loss we sustained in this important action. The duke of Ormond marched into the country and took some forts, and the town of Ritondella, where much plunder was found: the French seamen and soldiers escaped, for we, having no horse, were not in a condition to pursue them. The Spaniards appeared at some distance in a great body, but they did not offer to enter into any action with the duke of Ormond. It appeared that the resentments of that proud nation, which was now governed by French councils, were so high, that they would not put themselves in any danger, or to any trouble, even to save their own fleet, when it was in such hands.

After this great success, it came under consultation, whether it was not advisable to leave a good squadron of ships, with the land forces, to winter at Vigo. The neighbourhood of Portugal made that they could be well furnished with provisions and all other necessaries from thence. This might also encourage that king to declare himself, when there was such a force and fleet lying so near him. It might likewise encourage such of the Spaniards as favoured the emperor to declare themselves, when they saw a safe place of retreat and a force to protect them. The duke of Ormond, upon these considerations, offered to stay if Rook would have consented; but he excused it: he had sent home the victuallers with the stores, and so he could not spare what was necessary for such as would stay there: and indeed he had so ordered the matter, that he could not stay long enough to try whether they could raise and search the men-of-war and the galleons that were sunk. He was obliged to make all possible haste home; and if the wind had turned to the east, which was ordinary in that season, a great part of our ships' crews must have died of hunger.

The wind continued favourable, so they got home safe, but half starved. Thus ended this expedition, which was ill projected, and worse executed. The duke of Ormond told me he had not half the ammunition that was necessary for the taking Cadiz, if they had defended themselves well; though he believed they would not have made any great resistance, if he had landed on his first arrival, and not given them time to recover from the disorder into which the first surprise had put them. A great deal of the treasure taken at Vigo was embezzled, and fell into private hands\*. One of the galleons foundered at sea. The publick was not much enriched by this extraordinary capture, yet the loss our enemies made by it was a vast one; and, to complete the ruin of the Spanish merchants, their king seized on the plate that was taken out of the ships, upon their first arrival at Vigo. Thus the campaign ended; very happily for the allies, and most gloriously for the queen, whose first year, being such a continued course of success, gave a hopeful presage of what might be hereafter expected.

\* At Stowe, the seat of the duke of Buckingham, is a large chest, inlaid with mother of pearl, and called "The Vigo Chest." It is said to have contained treasure, and was brought here by sir Peter Temple, one of queen Anne's generals.

The session of parliament comes next to be related. The queen did not openly interpose in the elections, but her inclination to the tories appearing plainly, all people took it for granted that she wished they might be the majority. This wrought on the inconstancy and servility that is natural to multitudes; and the conceit, which had been infused and propagated with much industry, that the whigs had charged the nation with great taxes, of which a large share had been devoured by themselves, had so far turned the tide, that the tories in the house of commons were at least double the number of the whigs. They met full of fury against the memory of the late king, and against those who had been employed by him. The first instance wherein this appeared was in their address to the queen, congratulating her great successes: they added, that, by her wise and happy conduct, the honour of the kingdom was "retrieved." The word "retrieved" implying that it was formerly lost: all that had a just regard to the king's memory opposed it. He had carried the honour of the nation further than had been done in any reign before his. To him they owed their preservation, their safety, and even the queen's being on the throne. He had designed and formed that great confederacy, at the head of which she was now set. In opposition to this, it was now said that, during his reign, things had been conducted by strangers, and trusted to them; and that a vast treasure had been spent in unprofitable campaigns in Flanders. The Partition Treaty, and every thing else with which the former reign could be loaded, was brought into the account, and the keeping the word "retrieved" in the address was carried by a great majority; all that had favour at court, or hoped for any, going into it\*. Controverted elections were judged in favour of tories with such a barefaced partiality, that it shewed the party was resolved on every thing that might serve their ends.

Of this I shall only give two instances. The one was of the borough of Hindon, near me at Salisbury, where, upon a complaint of bribery, the proof was so full and clear, that they ordered a bill to disfranchise the town for that bribery; and yet, because the bribes were given by a man of their party, they would not pass a vote on him as guilty of it: so that a borough was voted to lose its right of electing, because many in it were guilty of a corruption, in which no man appeared to be the actor. The other was of more importance; and, because it may be set up for a precedent, I will be more particular in the report. Mr. John How had been vice-chamberlain to the late queen, but missing some of those advantages that he had proposed to himself, he had gone into the highest opposition that was made in the house of commons to the court during the last reign; not without many indecent reflections on the person of the late king, and a most virulent attacking of all his ministers. He was a man of some wit, but of little judgment, and of small principles of religion: he stood knight of the shire for Gloucestershire, and had drawn a party in that county to join with him in an address to the queen, in which reflections were made on the danger and ill usage she had gone through in the former reign. This address was received by the queen in so particular a manner, that it looked like the owning that the contents of it were true: but she made such an excuse for this, when the offence it gave was laid before her, that probably she was not acquainted with the matter of the address when she so received it. Upon this, great opposition was made to his election. When it came to the poll, it appeared he had lost it; so the sheriff was moved for a scrutiny, to examine whether all those who had sworn that they were freeholders of forty shillings a-year had sworn true. By the act of parliament the matter was referred to the party's oath, and their swearing false was declared perjury; therefore such as had sworn falsely were liable to a prosecution: but, by all laws, an oath is looked upon as an end of controversy, till he who swore is convicted of perjury: and the sheriff, being an officer named by the court, if he had a power to review the poll, this put the election of counties wholly in the power of the crown: yet, upon this occasion, the heat of a party prevailed so far, that they voted How duly elected†.

\* It was proposed to substitute the word "maintained," but, after a stormy debate, this was negatived by 180 to 80.—Chandler's Debates, House of Commons, iii. 205.

† Mr. John How was a native of Nottinghamshire. He represented Cirencester in the convention parliament, and was a member in every parliament during the reigns

of William and Anne. In the latter, he was a privy councillor, and vice-admiral of Gloucestershire. His other preferment will be noticed in a future page. He died in 1721. He was the author of "A Panegyric on King William," and several minor productions.—Collins's Peerage.

The house of commons very unanimously, and with great dispatch, agreed to all the demands of the court, and voted all the supplies that were necessary for carrying on the war. Upon the duke of Marlborough's coming over, a new demand for an additional force was made, since the king of France had given out commissions for a great increase of his armies. Upon that, the States moved the queen for ten thousand more men. This was consented to, but with a condition, which, how reasonable soever it might be in itself, yet the manner in which it was managed showed a very ill disposition towards the Dutch ; and in the debate they were treated very indecently. It was insisted on that, before the pay of these new troops should begin, the States should prohibit all trade with France, and break off all correspondence with that kingdom. It was indeed true, that France could not have supplied their armies in Italy but by the means of this secret trade ; so it was reasonable to break it : but the imposing it on the Dutch, in the manner in which this was pressed, carried in it too high a strain of authority over them. Theirs is a country that subsists not by any intrinsic wealth of their own, but by their trade : some seemed to hope that the opposition, which would be raised on this head, might force a peace, at which many among us were driving so indecently, that they took little care to conceal it. The States resolved to comply with England in every thing ; and though they did not like the manner of demanding this, yet they readily consented to it. The ordinary business of a session of parliament was soon dispatched, no opposition being made to the supply, at which, in the former reign, things stuck longest.

When those matters were settled, a bill was brought in by the tories against occasional conformity, which produced great and long debates\*. By this bill, all those who took the sacrament and test (which, by the act passed in the year 1673, was made necessary to those who held offices of trust, or were magistrates in corporations, but was only to be taken once by them), and did after that go to the meetings of dissenters, or any meeting for religious worship, that was not according to the liturgy or practice of the church of England, where five persons were present more than the family, were disabled from holding their employments, and were to be fined in 100*l.* and in 5*l.* a day for every day in which they continued to act in their employments, after their having been at any such meeting. They were also made incapable to hold any other employment till after one whole year's conformity to the church, which was to be proved at the quarter session. Upon a relapse, the penalty and the time of incapacity were doubled : no limitation of time was put in the bill, nor of the way in which the offence was to be proved. But, whereas the act of the test only included the magistrates in corporations, all the inferior officers or freemen in corporations, who were found to have some interest in the elections, were now comprehended within this bill. The preamble of the bill asserted the toleration, and condemned all persecution for conscience' sake in a high strain. Some thought the bill was of no consequence, and that, if it should pass into a law, it would be of no effect ; but that the occasional conformists would become constant ones. Others thought that this was such a breaking in upon the toleration as would undermine it, and that it would have a great effect on corporations ; as indeed the intent of it was believed to be the modelling of elections, and by consequence of the house of commons.

On behalf of the bill, it was said the design of the test act was, that all in office should continue in the communion of the church : that coming only once to the sacrament for an office, and going afterwards to the meetings of dissenters, was both an eluding the intent of the law and a profanation of the sacrament, which gave great scandal, and was abhorred by the better sort of dissenters. Those who were against the bill said, the nation had been quiet ever since the toleration, the dissenters had lost more ground and strength by it than the church. The nation was now engaged in a great war ; it seemed therefore unseasonable to raise animosities at home in matters of religion, at such a time, and to encourage a tribe of informers who were the worst sort of men. The fines were excessive, higher than any laid on papists by law ; and since no limitation of time, nor concurrence of witnesses, was provided for in the bill, men would be for ever exposed to the malice of a bold swearer, or wicked servant. It was moved, that since the greatest danger of all was from atheists and papists, that all such as received the sacrament for an office, should be obliged to receive it

\* See these proceedings in Chandler's Debates, House of Commons, iii.

three times a-year, which all were by law required to do ; and to keep to their parish church at least one Sunday a month, but this was not admitted. All who pleaded for the bill did in words declare for the continuance of the toleration, yet the sharpness with which they treated the dissenters in all their speeches showed as if they designed their extirpation. The bill was carried in the house of commons by a great majority. The debates held longer in the house of lords : many were against it, because of the high penalties : some remembered the practice of informers in the end of king Charles's reign, and would not consent to the reviving such infamous methods : all believed that the chief design of this bill was to model corporations and to cast out of them all those who would not vote in elections for tories. The toleration itself was visibly aimed at, and this was only a step to break in upon it. Some thought the design went yet further, to raise such quarrels and distractions among us as would so embroil us at home, that our allies might see they could not depend upon us ; and that we, being weakened by the disorders occasioned by those prosecutions, might be disabled from carrying on the war, which was the chief thing driven at by the promoters of the bill. So that many of the lords, as well as the bishops, agreed in opposing this bill, though upon different views ; yet they consented to some parts of it, chiefly that such as went to meetings, after they had received the sacrament, should be disabled from holding any employments, and be fined in twenty pounds. Many went into this, though they were against every part of the bill, because they thought this the most plausible way of losing it ; since the house of commons had of late set it up for a maxim, that the lords could not alter the fines that they should fix in a bill, this being a meddling with money, which they thought was so peculiar to them, that they would not let the lords on any pretence break in upon it.

The lords hereupon appointed a very exact search to be made into all the rolls that lay in the clerk of the parliament's office, from the middle of king Henry the Seventh's reign down to the present time ; and they found, by some hundreds of precedents, that in some bills the lords began the clauses that set the fines ; and that when fines were set by the commons sometimes they altered the fines, and at other times they changed the use to which they were applied. The report made of this was so full and clear, that there was no possibility of replying to it, and the lords ordered it to be entered in their books. But the commons were resolved to maintain their point without entering into any debate upon it. The lords also added clauses requiring proof to be made by two witnesses, and that the information should be given in within ten days, and the prosecution commenced within three months after the fact. The commons agreed to this, but would not alter the penalties that they had set. The thing depended long between the two houses ; both sides took pains to bring up the lords that would vote with them, so that there were above a hundred and thirty lords in the house, the greatest number that had ever been together.

The court put their whole strength to carry the bill. Prince George, who had received the sacrament as lord high admiral, and yet kept his chapel in the Lutheran way, so that he was an occasional communicant, came and voted for the bill. After some conferences, wherein each house had yielded some smaller differences to the other, it came to a free conference in the painted chamber, which was the most crowded upon that occasion that had ever been known ; so much weight was laid on this matter on both sides.

When the lords retired, and it came to the final vote "of adhering," the lords were so equally divided, that in three questions, put on different heads, the "adhering" was carried but by one voice in every one of them ; and it was a different person that gave it in all the three divisions. The commons likewise adhered, so the bill was lost. This bill seemed to favour the interests of the church, so hot men were for it ; and the greater number of the bishops being against it, they were censured as cold and slack in the concerns of the church, a reproach that all moderate men must expect when they oppose violent motions. A great part of this fell on myself ; for I bore a large share in the debates, both in the house of lords and at the free conference. Angry men took occasion from hence to charge the bishops as enemies to the church, and betrayers of its interests, because we would not run blindfold into the passions and designs of ill-tempered men ; though we can appeal to all the world, and, which is more, to God himself, that we did faithfully and zealously pursue the true

interests of the church, the promoting religion and learning, the encouraging of all good men and good designs, and that we did apply ourselves to the duties of our function and to the work of the gospel. Having this quiet within ourselves, we must bear the cross and submit to the will of God. The less of our reward that we receive from men, we have so much the more to look for from Him.

While the bill that had raised so much heat was in agitation, the queen sent a message to the commons, desiring them to make some suitable provision for prince George, in case he should outlive her. He was many years elder than the queen, and was troubled with an asthma that every year had very ill effects on his health; it had brought him into great danger this winter, yet the queen thought it became her to provide for all events. Howe moved that it should be 100,000*l.* a-year. This was seconded by those who knew how acceptable the motion would be to the queen, though it was the double of what any queen in England ever had in jointure; so it passed without any opposition. But while it was passing, a motion was made upon a clause in the act, which limited the succession to the Hanover family, which provided against strangers, though naturalized, being capable to hold any employments among us. This plainly related only to those who should be naturalized in a future reign, and had no retrospect to such as were already naturalized, or should be naturalized during the present reign. It was, however, proposed as doubtful whether, when that family might reign, all who were naturalized before should not be incapacitated by that clause from sitting in parliament, or holding employments; and a clause was offered to except the prince from being comprehended in that incapacity. Against this two objections lay: one was, that the lords had resolved by a vote, to which the greater number had set their hands, that they would never pass any money bill sent up to them by the commons, to which any clause was tacked that was foreign to the bill. They had done this to prevent the commons from fastening matters of a different nature to a money bill, and then pretending that the lords could not meddle with it; for this was a method to alter the government and bring it entirely into their own hands. By this means, when money was necessary for preserving the nation, they might force not only the lords, but the crown, to consent to every thing they proposed by tacking it to a money bill. It was said that a capacity for holding employments, and for sitting in the house of lords, were things of a different nature from money; so that this clause seemed to many to be a tack, whereas others thought it was no tack, because both parts of the act related to the same person. The other objection was, that this clause seemed to imply, that persons already naturalized, and in possession of the rights of natural born subjects, were to be excluded in the next reign; though all people knew that no such thing was intended when the act of succession passed. Great opposition was made for both these reasons to the passing this clause; but the queen pressed it with the greatest earnestness she had yet shewed in any thing whatsoever: she thought it became her, as a good wife, to have the act passed; in which she might be the more earnest, because it was not thought adviseable to move for an act that should take prince George into a consortship of the regal dignity. This matter raised a great heat in the house of lords: those who had been advanced by the late king, and were in his interests, did not think it became them to consent to this, which seemed to be a prejudice, or at least a disgrace to those whom he had raised. The court managed the matter so dexterously that the bill passed, and the queen was highly displeased with those who had opposed it, among whom I had my share. The clause was put in the bill by some in the house of commons, only because they believed it would be opposed by those against whom they intended to irritate the queen.

Soon after this the commons sent up a bill in favour of those who had not taken the oath, abjuring the prince of Wales, by the day that was named, granting them a year longer to consider of it; nor it was said, that the whole party was now come entirely into the queen's interests: though, on the other hand, it was given out that agents were come from France, on design to persuade all persons to take the abjuration, that they might become capable of employments, and so might in time be a majority in parliament, and by that means the act of succession, and the oath imposed by it, might be repealed. When the bill for thus prolonging the time was brought up to the lords, a clause was added, qualifying those persons

who should in the new extent of time take the oaths, to return to their benefices or employments, unless they were already legally filled. When this was agreed, two clauses of much greater consequence were added to the bill. One was, declaring it high treason to endeavour to defeat the succession to the crown, as it was now limited by law, or to set aside the next successor. This had a precedent in the former reign, so it could not be denied now. It seemed the more necessary, because there was another person who openly claimed the crown, so that a further security might well be insisted on. This was a great surprise to many, who were visibly uneasy at the motion, but were not prepared for it, and did not see how it could be resisted. The other clause was for sending the abjuration to Ireland, and obliging all there (in the same manner as in England) to take it. This seemed the more reasonable, considering the strength of the popish interest there. Both clauses passed in the house of lords without any opposition; but it was apprehended that the house of commons would not be so easy: yet, when it was sent to them, they struggled only against the first clause, that barred the return of persons, upon their taking the oaths, into places that were already filled. The party tried their strength upon this, and upon their success in it they seemed resolved to dispute the other clause; but it was carried, though only by one voice, to agree with the lords. When the clause relating to the succession was read, Musgrave tried if it might not be made a bill by itself, and not put as a clause in another bill; but he saw the house was resolved to receive both clauses, so he did not insist on his motion. All people were surprised to see a bill that was begun in favour of the jacobites turned so terribly upon them, since by it we had a new security given, both in England and Ireland, for a protestant successor.

At this time, the earl of Rochester quitted his place of lord-lieutenant of Ireland. He was uneasy at the preference which the duke of Marlborough had in the queen's confidence, and at the lord Godolphin's being lord treasurer. It was generally believed he was endeavouring to embroil our affairs, and that he was laying a train of opposition in the house of commons. The queen sent a message to him, ordering him to make ready to go to Ireland; for it seemed very strange, especially in a time of war, that a person in so great a post should not attend upon it; but he, after some days advising about it, went to the queen, and desired to be excused from that employment. This was readily accepted, and upon that he withdrew from the councils. It was immediately offered to the duke of Ormond, and he was made lord-lieutenant of Ireland. The duke of Ormond, upon his first arrival from the expedition to Cadiz, complained very openly of Rook's conduct, and seemed resolved to carry the matter to a public accusation; but the court found the party that prevailed in the house of commons determined to justify Rook: so, to comply with this, the queen made him a privy councillor; and much pains were taken on the duke of Ormond to stifle his resentments. He was in a great measure softened, yet he had made his complaints to so many lords, that they moved the house to examine both his instructions and the journals relating to that expedition. A committee of the house of peers sat long upon the matter: they examined all the admirals and land officers, as well as Rook himself, upon the whole progress of that affair. Rook was so well supported by the court, and by his party in the house of commons, that he seemed to despise all that the lords could do. Some who understood sea matters said that it appeared, from every motion that he made during the expedition, that he intended to do nothing but amuse and make a show. They also concluded, from the protection that the ministry gave him, that they intended no other. He took much pains to show how improper a thing a descent on Cadiz was, and how fatal the attempt must have proved; and, in doing this, he arraigned his instructions, and the design he was sent on, with great boldness, and showed little regard to the ministers, who took more pains to bring him off than to justify themselves. The lords of the committee prepared a report, which was hard upon Rook, and laid it before the house; but so strong a party was made to oppose every thing that reflected on him, that though every particular in the report was well proved, yet it was rejected, and a vote was carried in his favour, justifying his whole conduct. The great employment given to the duke of Ormond so effectually prevailed on him, that though the enquiry was set on by his means, and upon his suggestions, yet he came not to the house when it was brought to a conclusion. So Rook,

being but faintly pushed by him, and most zealously supported by his party, was justified by a vote, though universally condemned by more impartial judges. The behaviour of the ministry in this matter heightened the jealousies with which many were possessed, for it was inferred that they were not in earnest in his whole expedition; since the conduct being so contrary to the instructions, the justifying the one was plainly condemning the other.

The report made by the commissioners appointed to take the public accounts was another business that took up much time in this session, and occasioned many debates. They pretended that they had made great discoveries: they began with the earl of Ranelagh, who had been in great posts, and had all the arts that were necessary to recommend a man in a court, who stuck at nothing that could maintain his interest with those whom he served: he had been paymaster of the army in king James's time, and, being very fit for the post, he had been continued all the last reign: he had lived high, and so it was believed his appointments could not support so great an expense: he had an account of one and twenty millions lay upon him. It was given out that a great deal of the money, lodged in his office for the pay of the army, was diverted to other uses, distributed among favourites, or given to corrupt members of parliament; and that some millions had been sent over to Holland. It had been often said, that great discoveries would be made, whensoever his accounts were looked into; and that he, to save himself, would lay open the ill practices of the former reign. But now, when all was brought under a strict examination, a few inconsiderable articles of some hundreds of pounds was all that could be found to be objected to him; and even to these he gave clear and full answers. At last they found that, upon the breaking of a regiment, a sum which he had issued out for its pay had been returned to his office, the regiment being broke sooner than that pay was exhausted; and that no entry of this was made in his accounts. To this he answered, that his officer, who received the money, was within three days after taken so ill of a confirmed stone, that he never again came to the office, but died in great misery, and, during those three days, he had not entered that sum in the books. Lord Ranelagh acknowledged that he was liable to account for all the money that was received by his under officers, but here was no crime or fraud designed; yet this was so aggravated, that he saw his good post was his greatest guilt; so he quitted that, which was divided into two: one was appointed to be paymaster of the guards and garrisons at home, and another of the forces that were kept beyond sea. Howe had the first, as being the more lasting post\*. With this all the clamour raised against the earl of Ranelagh was let fall; yet, to make a show of severity, he was expelled the house. But he appeared, upon all this canvassing, to be much more innocent than even his friends had believed him†.

The clamour that had been long kept up against the former ministry, as devourers of the public treasure, was of such use to the party, that they resolved to continue it by all possible methods. So a committee of the house of commons prepared a long address to the queen, reflecting on the ill management of the funds, upon which they laid the great debt of the nation, and not upon the deficiencies. This was branched out into many particulars, which were all heavily aggravated. Yet, though a great part of the outcry had been formerly

\* The second was given to Mr. Fox.—Mackay's Characters.

† Richard Jones, earl of Ranelagh, has been styled “one of the ablest men Ireland ever bred.” Mackay's “Characters” describes him as having “a great deal of wit, having originally no great estate, yet hath spent more money, built more fine houses, and laid out more on household furniture and gardening than any other nobleman in England. He is a great epicure, and prodigious expensive; was paymaster all the last war, and is above 100,000*l.* sterling in arrear, which several parliaments have been calling him to account for, yet he escapes with the punishment only of losing his place. He is a bold man, and very happy in jests and repartees, and hath often turned the humour of the house of commons, when they have designed to be very severe. He is very fat, black,

and turned of 60 years old.” It is certain that the earl had not honesty sufficient to resist availing himself of any resources that enabled him to live in the splendid extravagance that delighted him, but this must have been sustained by considerable ability, or he could not have succeeded in pleasing such opposite characters as the licentious Charles, the bigotted James, the phlegmatic William, and the pious Anne. But his talents were not rendered amiable by a christian spirit. He never forgave his daughter, lady Coningsby, for marrying contrary to his wishes, and gave the fortune he intended for her to Greenwich Hospital. He died in 1711. His house and gardens at Chelsea became the public place of amusement, formerly so well-known as *Ranelagh*.—Clarendon Correspondence; Peerages; Noble's Contin. of Grainger.

made against Russel, treasurer of the navy, and his office, they found not so much as a colour to fix a complaint there; nor could they charge any thing on the chancery, the treasury, or the administration of justice. Great complaints were made of some accounts that stood long out, and they insisted on some pretended neglects, the old methods of the exchequer not having been exactly followed; though it did not appear that the public suffered in any sort by those failures. They kept up a clamour likewise against the commissioners of the prizes, though they had passed their accounts as the law directed, and no objection was made to them. The address was full of severe reflections and spiteful insinuations; and thus it was carried to the queen, and published to the nation, as the sense of the commons of England.

The lords, to prevent the ill impressions this might make, appointed a committee to examine all the observations that the commissioners of accounts had offered to both houses. They searched all the public offices, and were amazed to find that there was not one article in all the long address that the commons had made to the queen, or in the observations then before them, that was of any importance, but was false in fact. They found the deficiencies in the former reign were of two sorts; the one was of sums that the commons had voted, but for which they had made no sort of provision; the other was where the supply that was given came short of the sum it was estimated at: and between these two the deficiencies amounted to fourteen millions: this was the root of the great debt that lay on the nation. They examined into all the pretended mismanagement, and found that what the commons had stated so inviolably was mistaken. So far had the late king and his ministers been from misapplying the money that was given for public occasions, that he applied three millions to the public service that by law was his own money, of which they made up the account. They also found that some small omissions in some of the forms of the exchequer were of no consequence, and neither had nor could have any ill effect: and whereas a great clamour was raised against passing of accounts by privy seals, they put an end to that effectually, when it appeared on what ground this was done. By the ancient methods of the exchequer, every account was to be carried on, so that the new officer was to begin his account with the balance of the former account. Sir Edward Seymour, who had been treasurer of the navy, owed by his last account 180,000*l.*, and he had received after that 140,000*l.*, for which the accounts were never made up. Now it was not possible for those who came after him to be liable for his accounts. Therefore the treasurers of the navy in the last reign were forced to take out privy seals for making up their accounts. These imported no more than that they were to account only for the money that they themselves had received; for, in all other respects, their accounts were to pass according to the ordinary methods of the exchequer. Complaints had been also made of the remissness of the lords of the treasury, or their officers, appointed to account with the receivers of counties for the aids that had been given: but, when this was examined, it appeared that this had been done with such exactness that, of the sum of twenty-four millions for which they had accounted, there was not owing above 60,000*l.*, and that was for the most part in Wales, where it was not thought advisable to use too much rigour in raising it; and of that sum there was not above 14,000*l.* that was to be reckoned as lost. The collectors of the customs likewise answered all the observations made on their accounts so fully, that the house of commons was satisfied with their answers, and dismissed them without so much as a reprimand. All this was reported to the house of lords, and they laid it before the queen in an address, which was afterwards printed with the vouchers to every particular. By this means it was made out, to the satisfaction of the whole nation, how false those reports were which had been so industriously spread, and were so easily believed by the greater part. For the bulk of mankind will be always apt to think that courts and ministers serve their own ends, and study to enrich themselves at the public cost. This examination held long, and was followed with great exactness, and had all the effect that could be desired from it; for it silenced that noise which the late king's enemies had raised to asperse him and his ministers. With this the session of parliament ended. In it the lords had rendered themselves very considerable, and had gained an universal reputation over the whole nation. It is true, those who had opposed the persons that had carried matters before them in this session were so near them

in number, that things of the greatest consequence were carried only by one or two voices, therefore, as they intended to have a clear majority in both houses in the next session, they prevailed with the queen, soon after the prorogation, to create four new peers, who had been the most violent of the whole party : Finch, Gower, Granville, and young Seymour were made barons. Great reflections were made upon this promotion. When some severe things had been thrown out in the house of commons upon the opposition that they met with from the lords, it was insinuated, that it would be easy to find men of merit and estate to make a clear majority in that house. This was an open declaration of a design to put every thing in the hands and power of that party. It was also an encroachment on one of the tenderest points of the prerogative to make motions of creating peers in the house of commons. Hervey, though of the other side, was at the same time made a baron by private favour. Thus the session of parliament was brought to a much better conclusion than could have been reasonably expected by those, who knew of whom it was constituted and how it had begun. No harm was done in it : the succession was fortified by a new security, and the popular clamours of corruption and peculation, with which the nation had been so much possessed, were in a great measure dissipated.

The proceedings of the convocation, which sat at the same time, are next to be related. At the first opening of it there was a contest between the two houses, that lasted some days, concerning an address to the queen. The lower house intended to cast some reflections on the former reign, in imitation of what the house of commons had done, and these were worded so invidiously, that most of the bishops were pointed at by them ; but the upper house refusing to concur, the lower house receded, and so they both agreed in a very decent address. The queen received it graciously, promising all favour and protection to the church, and exhorting them all to peace and union among themselves. After this, the lower house made an address to the bishops, that they might find an expedient for putting an end to those disputes, that had stopped the proceedings of former convocations. The bishops resolved to offer them all that they could, without giving up their character and authority ; so they made a proposition that, in the intervals of sessions, the lower house might appoint committees to prepare matters, and when business was brought regularly before them, that the archbishop should so order the prorogations, that they might have convenient and sufficient time to sit and deliberate about it. This fully satisfied many of that body ; but the majority thought this kept the matter still in the archbishop's power, as it was indeed intended it should. So they made another application to the bishops, desiring them to refer the points in question to the queen's decision, and to such as she should appoint to hear and settle them. To this the bishops answered, that they reckoned themselves safe and happy in the queen's protection, and would pay all due submission to her pleasure and orders. But the rights, which the constitution of the church and the law had vested in them, were trusts lodged with them, which they were to convey to their successors as they had received them from their predecessors, and that it was not in their power to refer them. It would have been a strange sight, very acceptable to the enemies of the church, chiefly to papists, to see the two houses of convocation pleading their authority and rights before a committee of council that was to determine the matter. This failing, the lower house tried what they could obtain of the house of commons ; but they could not be carried further than a general vote, which amounted to nothing, that they would stand by them in all their just rights and privileges. They next made a separate address to the queen, desiring her protection, praying her to hear and determine the dispute. She received this favourably ; she said she would consider of it, and send them her answer. The matter was now brought into the hands of the ministers. The earl of Nottingham was of their side, but confessed that he understood not the controversy. The judges and the queen's council were ordered to examine how the matter stood in point of law, which was thus stated to them. The constant practice, as far as we had books or records, was, that the archbishop prorogued the convocation by a schedule : of this the form was so fixed, that it could not be altered but by act of parliament. There was a clause in the schedule that continued all matters before the convocation, in the state in which they then were, to the day to which he prorogued them : this made it evident that there could be no intermediate session ; for a session of the lower

house could, by passing a vote in any matter, alter the state in which it was. It was kept a secret what opinion the lawyers came to in this matter. It was not doubted but they were against the pretensions of the lower house. The queen made no answer to their address ; and it was believed that the reason of this was because the answer must, according to the opinion of lawyers, have been contrary to what they expected ; and therefore the ministers chose rather to give no answer, and that it should seem to be forgotten, than that such an one should be given as would put an end to the debate, which they intended to cherish and support.

The lower house finding that, by opposing their bishops in so rough, as well as in so unheard-of, a manner, they were represented as favourers of presbytery, to clear themselves of that imputation, came suddenly into a conclusion that episcopacy was of divine and apostolical right. The party that stuck together in their votes, and kept their intermediate sessions, signed this, and brought it up to the bishops, desiring them to concur in settling the matter, so that it might be the standing rule of the church. This was a plain attempt to make a canon, or constitution, without obtaining a royal licence, which, by the statute confirming the submission of the clergy in king Henry the Eighth's time, made both them, and all who chose them, incur a premunire. So the bishops resolved not to entertain the proposition, and a great many of the lower house apprehending what the consequence of such proceedings might be, by a petition to the bishops, prayed that it might be entered in their books, that they had not concurred in that definition, nor in the address made pursuant to it. The lower house looked on what they did in this matter as a masterpiece : for if the bishops concurred with them, they reckoned they gained their point ; and, if they refused it, they resolved to make them who would not come up to such a positive definition pass for secret favourers of presbytery. But the bishops saw into their designs, and sent them for answer, that they acquiesced in the declaration that was already made on that head in the preface to the book of ordinations ; and that they did not think it safe either for them or for the clergy, to go further in that matter without a royal licence. To this a dark answer was made, and so all these matters were at a full stand when the session came to an end, by the prorogation of the parliament ; which was become necessary, the two houses being fixed in an opposition to one another.

From those disputes in convocation, divisions ran through the whole body of the clergy, and to these, new names were found out ; they were distinguished by the names of HIGH CHURCH and LOW CHURCH. All that treated the dissenters with temper and moderation, and were for residing constantly at their cures, and for labouring diligently in them ; that expressed a zeal against the prince of Wales, and for the revolution ; that wished well to the present *wr*, and to the alliance against France, were represented as secret favourers of presbytery, and as ill affected to the church, and were called "low churchmen :" it was said that they were in the church only while the law and preferments were on its side ; but that they were ready to give it up as soon as they saw a proper time for declaring themselves. With these *else* and invidious characters did the high party endeavour to load all those who could not be brought into their measures and designs. When the session was at an end, the court was wholly taken up with the preparations for the campaign.

The duke of Marlborough had a great domestic affliction at this time. He lost his only son, a graceful person and a very promising youth : he died at Cambridge of the small-pox. This, as may be imagined, went very deep in his father's heart, and stopped his passing the seas some days longer than he had intended. Upon his arrival on the other side, the Dutch brought their armies into the field. The first thing they undertook was the siege of Bonn. In the meanwhile all men's eyes were turned towards Bavaria. The court of Vienna had given it out all former winter that they would bring such a force upon that elector, as would quickly put an end to that war, and seize his whole country. But the slowness of that court appeared on this as it had done on many other occasions ; for though they brought two armies into the field, yet they were not able to deal with the elector's forces. Villars, who lay with his army at Strasburg, had orders to break through and join the elector : so he was forced his way to him at all adventures. He passed the Rhine, and set

down before Fort Keil, which lay over against Strasburg, and took it in a few days. Prince Lewis was in no condition to raise the siege, for the best part of his army was called away to the war in Bavaria ; he therefore posted himself advantageously at Stollhoffen ; yet he could not have maintained it if the States had not sent him a good body of foot, which came seasonably a few days before mareschal Villars attacked him with an army that was more than double his number. But his men, chiefly the Dutch battalions, received them with so much courage, that the French were forced to quit the attack after they had lost about four thousand men in it. Yet, upon repeated orders from France, mareschal Villars resolved to venture the loss of his whole army, rather than abandon the elector ; who, though he had taken Newburg and had surprised Ratisbon, and had several advantages in little engagements with the imperialists, yet was likely to be overpowered by a superior force if he was not relieved in time. The Black Forest was thought impracticable in that season, which was a very wet one. This was too much trusted to, so that the passes were ill looked after, and therefore Villars overcame all difficulties, and joined the elector ; but his troops were so harassed with the march, that he was obliged to put them for some time into quarters of refreshment.

The duke of Marlborough carried on the siege of Bonn with such vigour, that they capitulated within ten days after the trenches were opened. The French reckoned upon a longer resistance, and hoped to have diverted this by an attempt upon Liege. The States had a small army about Maestricht, which the French intended to fall upon, being much superior to it ; but they found the Dutch in so good order, and so well posted, that they retired within their lines as soon as they saw the duke of Marlborough, after the siege of Bonn, was marching towards them. The winter had produced very little action in Italy. The country was under another very heavy plague, by a continued succession of threatening, and of some very devouring earthquakes : Rome itself had a share in the common calamity ; but it proved to them more dreadful than it was mischievous. Prince Eugene found that his letters and the most pressing representations he could send to the court of Vienna had no effect ; so at last he obtained leave to go thither.

The motions of the Dutch army made it believed there was a design on Antwerp. Cohorn was making advances in the Dutch Flanders, and Opdam commanded a small army on the other side of the Scheld, while the duke of Marlborough lay with the main army near the lines in Brabant. Boufflers was detached from Villeroy's army with a body double in number to Opdam's, to fall on him. He marched so quick that the Dutch, being surprised at Eckeren, were put in great disorder ; and Opdam, apprehending all was lost, fled with a body of his men to Breda. But the Dutch rallied, and maintained their ground with such firmness, that the French retired, little to their honour ; since though they were much superior in number, yet they let the Dutch recover out of their first confusion, and keep their ground, although forsaken by their general, who justified himself in the best manner he could, and cast the blame on others.

Boufflers's conduct was so much censured, that it was thought this finished his disgrace ; for he was no more put at the head of the French armies ; nor was the duke of Marlborough without some share of censure on this occasion, since it was pretended that he ought to have sent a force to support Opdam, or have made an attempt on Villeroy's army when it was weakened by the detachment sent with Boufflers.

The French lines were judged to be so strong that the forcing them seemed impracticable, so the duke of Marlborough turned towards Huy, which was soon taken ; and after that to Limburg, which he took with no loss but that of so much time as was necessary to bring up a train of artillery ; and, as soon as that was done, the garrison were made prisoners of war, for they were in no condition to maintain a siege. Guelder was also blocked up, so that before the end of the campaign it was brought to capitulate. Thus the Lower Rhine was secured, and all that country, called the Coudras, was entirely reduced. This was all that our troops, in conjunction with the Dutch, could do in Flanders. We had the superior army, but, what by reason of the cautious maxims of the States, w<sup>t</sup> by reason of the factions among them (which were rising very high between those who had been of the late

king's party, and were now for having a captain general, and those of the Lovestein party, who were for governing all by a deputation from the States), no great design could be undertaken by an army so much distracted.

In the Upper Rhine matters went much worse. Villars lay for some time on the Danube, while the elector of Bavaria marched into Tirol, and possessed himself of Innspruck. The emperor's force was so broken into many small armies, in different places, that he had not one good army any where ; he had none at all in Tirol : and all that the prince of Baden could do was to watch Villars's motions ; but he did not venture on attacking him during this separation. Many blamed his conduct : some called his courage, and others his fidelity, in question ; while many excused him, since his army was both weak and ill furnished in all respects. The duke of Vendome had orders to march from the Milanese to Tirol, there to join the elector of Bavaria : upon which junction the ruin of the house of Austria would have probably followed ; but the boors in Tirol rose and attacked the elector with so much resolution, that he was forced to retire out of the country with considerable loss, and was driven out before the duke of Vendome could join him, so that he came too late. He seemed to have a design on Trent, but the boors were now so animated with their successes, and were so conducted and supported by officers and troops sent them by the emperor, that Vendome was forced to return back, without being able to effect any thing.

Nothing passed this summer in Italy. The imperialists were too weak, and too ill supplied from Germany to be able to act offensively ; and the miscarriage of the design upon Tirol lost the French so much time, that they undertook nothing, unless it were the siege of Ostiglia, in which they failed. Bresello, after a long blockade, was forced to capitulate, and by that means the French possessed themselves of the duke of Modena's country. The duke of Burgundy came to Alsace and sat down before Brisac, of which he was soon master, by the cowardice, or treachery, of those who commanded, for which they were condemned by a council of war.

The emperor's misfortunes grew upon him. Cardinal Calonitz and Esterhasi had the government of Hungary trusted chiefly to them. The former was so cruel, and the other so ravenous, that the Hungarians took advantage from this distraction in the emperor's affairs to run together in great bodies, and in many places, setting prince Ragotski at their head. They demanded that their grievances should be redressed, and that their privileges should be restored. They were much animated in this by the practices of the French, and the elector of Bavaria's agents. Some small assistance was sent them by the way of Poland. They were encouraged to enter upon no treaty, but to unite and fortify themselves ; assurances being given them that no peace should be concluded, unless they were fully restored to all their ancient liberties.

The court of Vienna was much alarmed at this, fearing it might be secretly set on by the Turks ; though that court gave all possible assurances that they would maintain the peace of Carlowitz most religiously, and that they would in no sort encourage or assist the malcontents. A revolution happening in that empire, in which a new sultan was set up, raised new apprehensions of a breach on that side. But the sultan renewed the assurances of maintaining the peace so solemnly, that all those fears were soon dissipated. There was a great faction in the emperor's court, and among his ministers ; and it did not appear that he had strength of genius enough to govern them. Count Mansfield was much suspected of being in the interests of France. The prince of Baden and prince Eugene both agreed in charging his conduct, though they differed almost in every thing else. Yet he was so possessed of the emperor's favour and confidence, that it was not easy to get him set aside. In conclusion, he was advanced to a high post in the emperor's household, and prince Eugene was made president of the council of war.

But what effect soever this might have in succeeding campaigns, it was then too late in the year to find remedies for the present disorders : and all affairs on the south of the Danube were falling into great confusion. Things went a little better on the north side of that river. The upper palatinate was entirely conquered ; but near the end of the year Augsburg was forced to submit to the elector of Bavaria, and Landau was besieged by the

French. Tallard, who commanded the siege, took it in fewer weeks than it had cost the Germans months to take it in the former year. Nor was this all; an army of the confederates was brought together to raise the siege: the young prince of Hesse commanded, but the prince of Nassau Welburg, as a man of more experience in war, was chiefly depended on, though his conduct showed how little he deserved it. The emperor's birthday was a day of diversion, and the German generals, then at Spire, allowed themselves all the idle liberties used in courts on such days, without the ordinary precaution of having scouts or parties abroad, in the same careless state as if no enemy had been near them. Tallard, having intelligence of this, left a part of his army to make a show, and maintain the works before Landau, and marched with his best troops against the Germans. He surprised and routed them; upon which Landau capitulated. With this the warlike operations of this campaign ended very gloriously, and with great advantage to the French.

But two great negotiations, then brought to a conclusion, very much changed the face of affairs. All the confederates pressed the king of Portugal to come into the alliance, as his own interest led him to it; since it was visible that, as soon as Spain was once united to the crown of France, he could not hope to continue long in Portugal. The almirante of Castile was believed to be in the interests of the house of Austria, therefore, to send him out of the way, he was appointed to go ambassador to France. He seemed to undertake it, and made the necessary preparations; he saw this embassy was intended for an exile, and that it put him in the power of his enemies: so, after he had raised what was necessary to defray his expense, he secretly changed his course, and escaped with the wealth he had in his hands to Lisbon; where he entered into secret negotiations with the king of Portugal and the emperor. He gave great assurances of the good dispositions in which both the people and gardees of Spain were, who were grown sick of their new masters. The risk he himself ran seemed a very full credential. He assured them the new king was despised, and that the French about him were universally hated: the Spaniards could not bear the being made a province, either to France, or to the emperor.

He therefore proposed that the emperor and the king of the Romans should renounce all their pretensions and transfer them to the archduke, and declare him king of Spain; and that he should be immediately sent thither; for he assured them the Spaniards would not revolt from a king that was in possession, till they saw another king who claimed his right; and, in that case, they would think they had a right to adhere to the king they liked best. The king of Portugal likewise demanded an enlargement of his frontiers, and some new accessions to his crown, which were reasonable, but could not be stipulated but by a king of Spain.

In the treaty that the emperor had made with the late king, and with the States, one article was, that they should be at liberty to possess themselves of the dominions which the crown of Spain had in the West Indies, and he vested in them the right that their arms should give them in these acquisitions; upon which the king had designed to send a great fleet, with a land army, into the bay of Mexico, to seize some important places there, with a design of restoring them to the crown of Spain, upon advantageous articles for a free trade, as soon as the Spaniards should receive a king of the house of Austria. This design was now laid aside, and the reason that the ministers gave for it was, that the almirante had assured them that, if we possessed ourselves of any of their places in the West Indies, the whole nation would by that means become entirely French; they would never believe our promises of restoring them; and, seeing they had no naval power of their own to recover them they would go into the French interest very cordially, as the only way left to recover these places.

An entire credit was given to the almirante; so the queen and the States agreed to send over a great fleet, with a land army of twelve thousand men, together with a great supply of money and arms to Portugal; that king undertaking to have an army of twenty-eight thousand men ready to join ours. In this treaty an incident happened, that had almost spoiled the whole; the king of Portugal insisted on demanding the flag, and the other respects to be paid by our admiral, when he was in his ports: the earl of Nottingham

insisted it was a dishonour to England to strike, even in another king's ports ; this was not demanded of the fleet that was sent to bring over queen Katharine ; so, though Methuen, our ambassador, had agreed to this article, he pressed the queen not to ratify it.

Methuen \*, in his own justification, said, he consented to the article, because he saw it was insisted on so much, that no treaty could be concluded, unless that point were yielded ; the low state of their affairs, in the year 1662, when the protection of England was all they had in view, for their preservation, made such a difference between that and the present time, that the one was not to be set up for a precedent to govern the other ; besides, even then the matter was much contested in their councils, though the extremities to which they were reduced made them yield it. The lord Godolphin looked on this as too inconsiderable to be insisted on, the whole affairs of Europe seemed to turn upon this treaty, and so important a matter ought not to be retarded a day for such punctilio as a salute, or striking the flag ; and it seemed reasonable that every sovereign prince should claim this acknowledgment, unless where it was otherwise stipulated by express treaties. The laying so much weight on such matters very much heightened jealousies ; and it was said, that the earl of Nottingham, and the tories, seemed to lay hold on every thing that could obstruct the progress of the war ; while the round proceeding of the lord Godolphin reconciled many to him. The queen confirmed the treaty † ; upon which the court of Vienna was desired to do their part. But that court proceeded with its ordinary slowness, the mildest censure passed on these delays was, that they proceeded from an unreasonable affectation of magnificence in the ceremonial, which could not be performed soon, nor easily, in a poor but a haughty court ; it was done at last, but so late in the year, that the new declared king of Spain could not reach Holland before the end of October. A squadron of our fleet was lying there to bring him over ; such as was wont to convoy the late king when he crossed the seas. But the ministers of the king of Spain thought it was not strong enough ; they pretended they had advertisements that the French had a stronger squadron in Dunkirk, which might be sent out to intercept him ; so an additional strength was sent ; this lost some time, and a fair wind.

It had like to have been more fatal ; for about the end of November the weather grew very boisterous, and broke out on the 27th of November, in the most violent storm, both by sea and land, that had been known in the memory of man : the city of London was so shaken with it, that people were generally afraid of being buried in the ruins of their houses. Some houses fell and crushed their masters to death ; great hurt was done in the southern parts of England ; little happening in the north, where the storm was not so violent. There was a great fall of trees, chiefly of elms, that were blown down by the wind. We had, at that time, the best part of our naval force upon the sea ; which filled all people with great apprehensions of an irreparable loss ; and indeed, if the storm had not been at its height at full flood, and in a spring tide, the loss might have proved fatal to the nation. It was so considerable, that fourteen or fifteen men of war were cast away, in which one thousand five hundred seamen perished ; few merchantmen were lost ; such as were driven to sea were safe : some few only were over-set. Thus the most threatening danger, to which the nation could be exposed, went off with little damage : we saw all our hazard, since the loss of our fleet must have been the loss of the nation. If this great hurricane had come at low water, or in a quarter tide, our ships must have been driven out upon the banks of sand that lie before the coast, and have stuck and perished there, as some of the men of war did ; but the sea being so full of water, all but some heavy ships got over these safe : our squadron, which was then in the Maes, suffered but little, and the ships were soon refitted, and ready to sail.

\* Jonathan Methuen was the representative in parliament of Devizes from 1690 to 1702. Educated for the profession of the law, he practised with success, and rose to the dignity of lord chancellor of Ireland. According to Mackay's " Characters," he was nearly promoted to the same high office in England. It is an instance of the ill government to which Ireland has for centuries been subjected, that whilst he held the station of its highest law offices, he was employed as ambassador to Portugal ; where he died in 1706. Mackay's " Characters" and

Dean Swift unite in giving him a very degrading character. The first says " he was a man of intrigue, but very muddy in his conceptions, and not quickly understood in any thing ;" the latter, still more virulent, describes him as " a profligate rogue, without religion, or morals, but cunning enough, though without abilities of any kind." He was buried in Westminster abbey. His letters do not show any deficiency of sense.—Clarendon Correspondence ; Oxford edition of this work ; Noble's Contin. of Grainger.

† But the obnoxious clause was expunged.—Noble.

About the end of December, the king of Spain landed at Portsmouth; the duke of Somerset was sent by the queen to receive him, and to bring him to an interview, which was to be at Windsor\*; prince George went and met him on the way, and he was treated with great magnificence: the court was very splendid, and much thronged; the queen's behaviour towards him was very noble and obliging: the young king charmed all that were there; he had a gravity beyond his age, tempered with much modesty; his behaviour was in all points so exact, that there was not a circumstance in his whole deportment that was liable to censure; he paid an extraordinary respect to the queen, and yet maintained a due greatness in it. He had an art of seeming well pleased with every thing, without so much as smiling once all the while he was at court, which was only three days: he spoke but little, and all he said was judicious and obliging. All possible haste was made in fitting out the fleet, so that he set sail in the beginning of January, and for five days he had a fair wind with good weather, but then the wind changed, and he was driven back to Portsmouth. He lay there above three weeks, and then he had a very prosperous navigation. The forces that were ordered to go over to his assistance were by this time got ready to attend on him, so he sailed with a great fleet, both of men of war and transport ships: he arrived happily at Lisbon, where he was received with all the outward expressions of joy and welcome, and at an expence, in a vain magnificence, which that court could not well bear; but a national vanity prevailed to carry this too far, by which other things that were more necessary were neglected: that court was then very melancholy; for the young infanta, whom the king of Spain was to have married, as had been agreed, died a few days before his arrival.

While this negotiation with Portugal was carried on, the duke of Savoy began to see his own danger, if the two crowns should come to be united; and he saw, that if the king of France drove the imperialists out of Italy, and became master of the Milanese, he must lie exposed, and at mercy; he had married his two daughters to the duke of Burgundy, and to king Philip of Spain; but as he wrote to the emperor, he was now to take care of himself and his son; his alliance with France was only for one year, which he had renewed from year to year, so he offered, at the end of the year, to enter into the great alliance; and he demanded for his share, the Novarize, and the Montferrat. His leaving the allies, as he had done in the former war, showed that he maintained the character of his family, of changing sides, as often as he could expect better terms, by a new turn; yet his interest lay so visibly now on the side of the alliance, that it was very reasonable to believe he was resolved to adhere firmly to it. So when the demands he made were laid before the court of Vienna, and from thence transmitted to England, and Holland, all the assistance that he proposed was promised him: the court of Vienna had no money to spare, but England and the States were to pay him twenty thousand pounds a month, of which England was to pay him two thirds, and the States the rest.

Since I am to relate the rest of this transaction, I must look back, and give some account of his departing from the alliance in the former war, which I had from Monsieur Herval, who was then the king's envoy in Switzerland, a French refugee, but originally of a German

\* Charles Seymour, commonly known as "the proud duke of Somerset." He was born in 1662, and died in 1748. He was interred in Salisbury cathedral. Noble relates several anecdotes, fully justifying the popular epithet applied to him. Under queen Anne he was master of the horse, privy councillor, and a commissioner for the union; but upon the change of ministry he was superseded. Indignant, he, with the duke of Argyle, forced himself into the council at Kensington, summoned to deliberate upon the situation of the nation, the queen lying dead at the time. This disconcerted all the plans of the tory party. George the First restored him to all his honours, but from these he was removed again for expressing himself with indecorous warmth, because bail was refused for his son-in-law, sir William Wyndham, suspected of treasonable correspondence with the exiled court. Upon this he had all his servants' liveries taken in a cart and thrown into the yard of the palace. These

liveries were the same as those worn by the royal footmen. His servants were directed by signs, and couriers preceded him to clear the country roads, that he might pass without obstruction or observation. A countryman driving a pig, instead of obeying the mandate, held up the hog by the ears, indignantly exclaiming, "I see him, and so shall my pig." He had two wives; Eliza, only child of the earl of Northumberland; and Charlotte, daughter of the earl of Winchilsea and Nottingham. The latter once tapped him upon the shoulder with her fan, upon which he indignantly rebuked her by observing, "My first duchess was a Percy, and she never took such a liberty." His two youngest daughters were accustomed to stand and watch him by turns as he slept in the afternoon. One of them being wearied, sat down, which he observing as he suddenly awoke, declared she should remember. By his will he left her 20,000*l.* less than her sister. Such a proud brute must have been a fool.







Engraved by W. Holl.

CHARLES SEYMOUR, DUKE OF SOMERSET.

OB 1746

THE RIGHT HONBLE THE EARL OF EGREMONT



family of Augsburg, settled but lately in France. In January, 1696, when the plot for assassinating the king and invading the nation was thought so surely laid, that it could not miscarry, the king of France sent M. Chanley very secretly to the duke of Savoy, with a full credence to the propositions he was to make, demanding a positive answer within six hours; with that the duke of Orleans wrote very warmly to him; he said, he had employed all his interest with the king his brother, to get these offers made to him, which he conjured him to accept of, otherwise he must look for utter ruin, without remedy, or recovery. Chanley told him, that at that present time, he was to reckon that king James was repossessed of the throne of England, and that the prince of Orange was either dead, or in his hands; so he offered to restore Cazal and Pigneroll, and all that was afterwards agreed to by the treaty, if he would depart from the alliance. The duke of Savoy being thus alarmed with a revolution of England, and being so straitened in time, thought the extreme necessity, to which he would be reduced, in case that was true, must justify his submitting, when otherwise his ruin was unavoidable. The worst part of this was, that he got leave to pretend to continue in the alliance, till he had drawn all the supplies he was to expect for that year from England, and the States, and then the whole matter was owned, as has been related in the transactions of that year. I leave this upon the credit of him from whom I had it, who assured me he was well informed concerning it.

The duke of Savoy having now secretly agreed to enter into the alliance, did not declare it, but continued still denying it to the French, that so when the duke of Vendome sent back his troops to him, at the end of the campaign, he might more safely own it. The French had reason to suspect a secret negotiation, but could not penetrate into it, so they took an effectual, though a very fraudulent method to discover it, which was told me soon after by the earl of Pembroke. They got the elector of Bavaria to write to him, with all seeming sincerity, and with great secrecy, for he sent it to him by a subject of his own, so well disguised and directed, that the duke of Savoy was imposed on by this management: in this letter, the elector complained bitterly of the insolence and perfidiousness of the French, into whose hands he had put himself: he said, he saw his error now, when it was too late to see how he could correct it; yet if the duke of Savoy, who was almost in as bad a state as himself, would join with him, so that they might act by concert, they might yet not only recover themselves, but procure a happy peace for all the rest of Europe. The duke of Savoy, mistrusting nothing, wrote him a frank answer, in which he owned his own designs, and encouraged the elector to go on, and offered all offices of friendship on his behalf, with the rest of the allies. The French, who knew by what ways the Savoyard was to return, seized him, without so much as acquainting the elector with the discovery that they had made: they saw now into this secret; so when the time came, in which the duke of Vendome ought to have sent back his troops to him, they were made prisoners of war, contrary to all treaties; and with this the war began in those parts. It was much apprehended that, considering the weak and naked state in which the duke of Savoy then was, the French would have quickly mastered him; but count Staremburg ventured on a march, which military men said was the best laid, and the best executed of any in the whole war: he marched from the Modenese, in the worst season of the year, through ways that, by reason of the rains that had fallen, seemed impracticable, having in many places the French both before and behind him; he broke through all, and in conclusion joined the duke of Savoy, with a good body of horse. By this he was rendered safe in Piedmont; it is true the French made themselves quickly masters of all Savoy, except Montmelian, where some small actions happened, much to the duke's advantage. The Switzers interposed to obtain a neutrality for Savoy, though without effect.

The rising in the Cevennes had not been yet subdued, though mareschal Montravel was sent with an army to reduce or destroy them: he committed great barbarities, not only on those he found in arms, but on whole villages, because they, as he was informed, favoured them: they came often down out of their hills in parties, ravaging the country, and they engaged the king's troops with much resolution, and sometimes with great advantage: they seemed resolved to accept of nothing less than the restoring their edicts to them; for a con-

nivance at their own way of worship was offered them : they had many among them who seemed qualified in a very singular manner, to be the teachers of the rest ; they had a great measure of zeal without any learning ; they scarcely had any education at all ; I spoke with the person who, by the queen's order, sent one among them to know the state of their affairs ; I read some of the letters, which he brought from them, full of a sublime zeal and piety, expressing a courage and confidence that could not be daunted ; one instance of this was, that they all agreed, that if any of them was so wounded in an engagement with the enemy, that he could not be brought off, he should be shot dead, rather than be left alive to fall into the enemy's hands ; it was not possible then to form a judgment of that insurrection, the reports about it were so various and uncertain, it being as much magnified by some, as it was undervalued by others : the whole number that they could reckon on was four thousand men, but they had not arms and clothes for half that number, so they used these by turns, while the rest were left at home, to follow their labour : they put the country all about them in a great fright, and to a vast expence ; while no intelligence could be had of their designs, and they broke out in so many different places, that all who lay within their reach were in a perpetual agitation ; it was a lamentable thing that they lay so far within the country, that it was not possible to send supplies to them unless the duke of Savoy should be in a condition to break into Dauphiny ; and therefore advices were sent them, to accept of such terms as could be had, and to reserve themselves for better times.

In Poland, the scene was more embroiled than ever ; there was some appearance of peace this summer, but it went off in winter : the old fierce cardinal drew a diet to Warsaw ; there it was declared that their king had broken all their laws : upon that, they, by a formal sentence, deposed him, and declared the throne vacant. This was done in concert with the king of Sweden, who lay with his army at some distance from them, in the neighbourhood of Dantzig, which alarmed the citizens very much : it was believed that they designed to choose Sobieski, the eldest son of the late king, who then lived at Breslau, in Silesia, and being in the emperor's dominions, he thought himself safer than he proved to be ; the king of Poland retired into Saxony in some haste, which made many conclude, that he resolved to abandon Poland ; but he laid another design, which was executed to his mind, though in the sequel it proved not much to his advantage ; Sobieski and his brother were in a correspondence with the party in Poland that opposed the king, upon which they ought to have looked to their own security with more precaution : they, it seems, apprehended nothing where they then were, and so diverted themselves at hunting, and otherwise in their usual manner ; upon this some, sent by the king of Poland, took them both prisoners, and brought them to Dresden, where they were safely kept ; and all the remonstrances that the emperor could make upon such an act of hostility had no effect. This for a while broke their measures at Warsaw ; many forsook them, while the king of Sweden seemed implacable in his opposition to Augustus, whose chief confidence was in the czar : it was suspected that the French had a management in this matter ; since it was certain that, by the war in Poland, a great part of that force was diverted which might otherwise have been engaged in the common cause of the great alliance. All the advices that we had from thence agreed in this, that the king of Sweden himself was in no understanding with the French, but it was visible that what he did contributed not a little to serve their ends. This was the state of affairs at land.

I turn next to another element, and to give an account of the operations at sea, where things were ill designed, and worse executed : the making prince George our lord high admiral, proved in many instances very unhappy to the nation : men of bad designs imposed on him, he understood those matters very little, and they sheltered themselves under his name, to which a great submission was paid ; but the complaints rose the higher for that ; our main fleet was ready to go out in May, but the Dutch fleet was not yet come over ; so Rook was sent out to alarm the coast of France ; he lingered long in port, pretending ill health ; upon that Churchill was sent to command the fleet ; but Rook's health returned happily for him, or he thought fit to lay aside that pretence, and went to sea, where he continued a month ; but in such a station as if his design had been to keep far from meeting

the French fleet, which sailed out at that time ; and to do the enemy no harm, not so much as to disturb their quiet, by coming near their coast ; at last he returned without having attempted any thing \*.

It was after this resolved to send a strong fleet into the Mediterranean : it was near the end of June before they were ready to sail, and they had orders to come out of the straits by the end of September : every thing was so ill laid in this expedition as if it had been intended that nothing should be done by it besides the convoying our merchant ships, which did not require the fourth part of such a force. Shovel was sent to command ; when he saw his instructions he represented to the ministry that nothing could be expected from this voyage ; he was ordered to go, and he obeyed his orders : he got to Leghorn by the beginning of September. His arrival seemed to be of great consequence, and the allies began to take courage from it ; but they were soon disappointed of their hopes when they understood that by his orders he could only stay a few days there ; nor was it easy to imagine what the design of so great an expedition could be, or why so much money was thrown away on such a project, which made us despised by our enemies, whilst it provoked our friends, who might justly think they could not depend upon such an ally who managed so great a force with so poor a conduct, as neither to hurt their enemies, nor protect their friends by it.

A squadron was sent to the West Indies, commanded by Graydon, a man brutal in his way, and not well affected to the present state of affairs. The design was, to gather all the forces that we had, scattered up and down the plantations, and with that strength to go and take Placentia, and so to drive the French out of the Newfoundland trade : but the secret of this was so ill kept, that it was commonly talked of before he sailed : the French had timely notice of it, and sent a greater force to defend the place than he could bring together to attack it. His orders were pressing, in particular, that he should not go out of his way to pursue any of the enemy's ships whom he might see ; these he observed so punctually, that when he saw a squadron of four French men of war sailing towards Brest, that were visibly foul, and in no condition to make any resistance, he sent indeed one of his ships to view them, who engaged them, but Graydon gave the signal to call him off, upon which they got safe into Brest. This was afterwards known to be Du Casse's squadron, who was bringing treasure home from Cartagena, and other ports of the West Indies, reported to be four millions of pieces of eight ; but though here was a good prey lost, yet so careful was the prince's council to excuse every thing, done by such a man, that they ordered an advertisement to be put in the gazette, to justify Graydon ; in which it was said that, pursuant to his orders, he had not engaged that fleet. The orders were indeed strangely given, yet our admirals had never thought themselves so bound down to them, but that, upon great occasions, they might make stretches ; especially where the advantage was visible, as it was in this case ; for since they were out of the way of new orders, and new occasions might happen, which could not be known, when their orders were given, the nature of the service seemed to give them a greater liberty than was fit to be allowed in the land service. When he came to the plantations, he acted in so savage a manner, as if he had been sent rather to terrify than to protect them : when he had drawn the forces together that were in the plantations, he went to attack Placentia : but he found it to be so well defended, that he did not think fit so much as to make any attempt upon it : so this expedition ended very ingloriously, and many complaints of Graydon's conduct were sent after him.

\* Sir George Rooke was not a supporter of the whig party in parliament, which appears to be the only reason that actuated Burnet in always disparaging this gallant seaman. William the Third had more magnanimity, for, when urged by his ministry to discharge Rooke for opposing them in the house of commons, the king replied—"No ; if you have anything to allege against his conduct in the navy, I may comply with your request ; but I will never discharge a brave and experienced officer, who hath always behaved well in my service, for no other reason than his conduct in parliament." He was a native of Kent, born in 1650, and dying in 1709. Two or three anecdotes will place his character in a true light. In 1700, when serving in the Baltic, and endeavouring to mediate a peace

between Sweden and Denmark, but the latter being refractory, he bombarded Copenhagen, and compelled them to be reasonable. The king of Sweden urged him to be more rigorous towards them, but Rooke very calmly replied, "Sir, I was sent hither to serve your majesty not to ruin the king of Denmark." Party spirit eventually prevailed, and in 1705 he was removed from the command of the fleet. When making his will, a friend remarked that his fortune was less than might have been expected, to which sir George answered—"True ; I do not leave much, but what I do leave was honestly gotten ; it never cost a sailor a tear, or the nation a farthing."—Campbell's Lives of the Admirals; Noble's Contin. of Grainger.

There was also a great complaint through the whole fleet of their victualling ; we lost many of our seamen, who, as was said, were poisoned by ill food ; and though great complaints were made of the victuallers before the fleet went out, yet there was not such care taken to look into it as a matter of that consequence deserved : the merchants did also complain that they were ill served with convoys, and so little care had been taken of the Newcastle fleet, that the price of coals rose very high ; it was also said, that there was not a due care had of our seamen that were taken by the privateers, many of them died by reason of their ill usage, while others, to deliver themselves from that, went into the French service. Thus all our marine affairs were much out of order, and these disorders were charged on those who had the conduct of them ; every thing was unprosperous, and that will always be laid heavily on those who are in the management of affairs : it is certain that, in the beginning of this reign, all those who hated the late king and his government, or had been dismissed the service by him, were sought out, and invited into employments : so it was not to be expected that they could be faithful, or cordial, in the war against France.

The affairs of Scotland come next to be related : a new parliament was called, and many were chosen to serve in it, who were believed to be in secret engagements with the court at St. Germain : the lords, who had hitherto kept out of parliament, and were known to be jacobites, came and qualified themselves by taking the oaths to vote in parliament : it was set up for a maxim by the new ministry, that all the jacobites were to be invited home ; so a proclamation was issued out, of a very great extent, indemnifying all persons, for all treasons committed before April last, without any limitation of time for their coming home to accept of this grace, and without demanding any security of them for the future. The duke of Queensbury was sent down the queen's commissioner to the parliament ; this inflamed all those who had formerly opposed him : they resolved to oppose him still in every thing, and the greater part of the jacobites joined with them, but some of them were bought off, as was said, by him : he, seeing so strong an opposition formed against him, studied to engage the presbyterian party to stick to him : and even the party that united against him were so apprehensive of the strength of that interest, that they likewise studied to court them, and were very careful not to give them any umbrage. By this, all the hopes of the episcopal party were lost, and every thing relating to the church did not only continue in the same state in which it was during the former reign, but the presbyterians got a new law in their favour, which gave them as firm a settlement, and as full a security, as law could give ; for an act passed, not only confirming the claim of rights, upon which the crown had been offered to the late king, one of its articles being against prelacy, and for a parity in the church, but it was declared high treason to endeavour any alteration of it. It had been often proposed to the late king to pass this into an act, but he would never consent to it ; he said, he had taken the crown on the terms in that claim, and that therefore he would never make a breach on any part of it ; but he would not bind his successors by making it a perpetual law. Thus a ministry that carried all matters relating to the church to so great a height ; yet, with other views, gave a fatal stroke to the episcopal interest in Scotland, to which the late king would never give way. The great debates in this session were concerning the succession of the crown, in case the queen should die without issue. They resolved to give the preference to that debate before they would consider the supplies ; it was soon resolved that the successor to the crown after the queen, should not be the same person that was king, or queen, of England, unless the just rights of the nation should be declared in parliament, and fully settled in an independence upon English interests and councils. After this they went to name particulars, which by some were carried so far, that those expedients were indeed the setting up a commonwealth, with the empty name of a king ; for it was proposed that the whole administration should be committed to a council, named by parliament, and that the legislature should be entirely in the parliament, by which no shadow of power was left with the crown, and it was merely a nominal thing ; but the further entering upon expedients was laid aside for that time, only one act passed that went a great way towards them : it was declared, that no succeeding king should have the power to engage the nation in a war, without consent of parliament. Another act of a strange nature passed, allowing the importation of French goods, which, as was pretended, were to be imported in

the ships of a neutral state. The truth was, the revenue was so exhausted, that they had not enough to support the government without such help : those who desired to drink good wine, and all who were concerned in trade, ran into it ; so it was carried, though with great opposition ; the jacobites also went into it, since it opened a free correspondence with France ; it was certainly against the public interest of the government in opposition to which private interest will often prevail. The court of St. Germains, perceiving such a disjoining in Scotland, and so great an opposition made in parliament, was from thence encouraged to set all their emissaries in that kingdom at work, to engage both the chief of the nobility, and the several tribes in the Highlands, to be ready to appear for them. One Frazer had gone through the Highlands the former year, and from thence he went to France, where he pretended he had authority from the Highlanders, to undertake to bring together a body of twelve thousand men, if they might be assisted by some force, together with officers, arms, ammunition, and money from France. After he had delivered this message to the queen at St. Germains, she recommended him to the French ministers : so he had some audiences of them. He proposed that five thousand men should be sent from Dunkirk to land near Dundee, with arms for twenty thousand men ; and that five hundred should be sent from Brest, to seize on Fort William, which commanded the great pass in the Highlands. The French hearkened to all this, but would not venture much upon slight grounds, so they sent him back with some others, in whom they confided more, to see how much they might depend on, and what the strength of the Highlanders was ; they were also ordered to try whether any of the great nobility of that kingdom would engage in the design.

When these came over, Frazer got himself secretly introduced to the duke of Queensbury, to whom he discovered all that had been already transacted ; and he undertook to discover the whole correspondence between St. Germains and the jacobites : he also named many of the lords who opposed him most in parliament, and said, they were already deeply engaged. The duke of Queensbury hearkened very willingly to all this, and he gave him a pass to go through the Highlands again, where he found some were still very forward, but others were more reserved. At his return, he resolved to go back to France, and promised to make a more entire discovery : he put one letter in the duke of Queensbury's hands, from the queen at St. Germains, directed on the back (but by another hand) to the Marquis of Athol : the letter was written in such general terms, that it might have been directed to any of the great nobility ; and probably he who was trusted with it had power given him to direct it to any, to whom he found it would be most acceptable : for there was nothing in the letter that was particular to any one person or family ; it only mentioned the promises and assurances sent to her by that lord. This Frazer had been accused of a rape, committed on a sister of the lord Athol's, for which he was convicted and outlawed ; so it might be supposed, that he, to be revenged of the lord Athol, who had prosecuted him for that crime, might put his name on the back of that letter. It is certain that the others, who were more trusted, and were sent over with him, avoided his company, so that he was not made acquainted with that proceeding. Frazer came up to London in winter, and had some meetings with the practising jacobites about the town, to whom he discovered his negotiation ; he continued still to persuade the duke of Queensbury of his fidelity to him : his name was not told the queen, for when the duke of Queensbury wrote to her an account of the discovery, he added, that unless she commanded it, he had promised not to name the person, for he was to go back to St. Germains, to complete the discovery. The queen did not ask his name, but had more regard to what he said, because in the main it agreed with the intelligence, that her ministers had from their spies at Paris. The duke of Queensbury procured a pass for him to go to Holland, but by another name ; for he opened no part of this matter to the earl of Nottingham, who gave the pass. The jacobites in London suspected Frazer's correspondence with the duke of Queensbury, and gave advertisement to the lord Athol, and by this means the whole matter broke out, as shall be told afterwards. What influence soever this, or any other practice might have in Scotland, it is certain the opposition in parliament grew still greater ; and since the duke of Queensbury would not suffer them to proceed, in those strange limitations upon the crown, that had been proposed, though the queen ordered him to pass the other bills, they would give no supply ; so that the pay of the army, with the charge of

the government, was to run upon credit, and by this means matters there were likely to come to extremities. A national humour of rendering themselves a free and independent kingdom did so inflame them, that as they had a majority of seventy in parliament, they seemed capable of the most extravagant things that could be suggested to them: the greatest part of the ministry forsook the duke of Queensbury in parliament; both the earl of Seafield, lord chancellor, the marquis of Athol, the lord privy seal, and lord Tarbet, the secretary of state, with all that depended on them, broke off from him: yet upon the conclusion of the session, Athol was made a duke, and Tarbet was made earl of Cromarty, which looked like rewarding them for their opposition \*. Soon after that, the queen resolved to revive the order of the thistle, that had been raised by her father, but was let fall by the late king: it was to be carried in a green ribbon, as the George is in a blue, and the glory was in the form of a St. Andrew's cross, with a thistle in the middle. Argyle, Athol, Annandale, Orkney, and Seafield were the first that had it, the number being limited to twelve †. And to such a height did the disorders in that kingdom rise, that great skill and much secret practice seemed necessary to set matters right there: the aversion and jealousy towards those who had been most active in the last reign, and the favour showed to those who were in king James's interests, had an appearance of bringing matters out of an excess, to a temper: and it was much magnified by those who intended to flatter the queen, on design to ruin her. Though the same measures were taken in England, yet there was less danger in following them here than there: errors might be sooner observed, and easier corrected, where persons are in view, and are watched in all their motions: but this might prove fatal at a greater distance, where it was more easy to deny, or palliate, things, with great assurance. The duke of Queensbury's engrossing all things to himself, increased the disgust, at the credit he was in: he had begun a practice of drawing out the sessions of parliament to an unusual length, by which his appointments exhausted so much of the revenue, that the rest of the ministers were not paid, and that will always create discontent; he trusted entirely to a few persons, and his conduct was liable to just exceptions: some of those who had the greatest credit with him were believed to be engaged in a foreign interest, and his passing, or rather promoting the act, that opened a correspondence with France, was considered as a design, to settle a commerce there; and upon that, his fidelity, or his capacity, were much questioned.

There were still high discontents in Ireland, occasioned by the behaviour of the trustees there. The duke of Ormond was the better received when he went to that government, because he came after the earl of Rochester; till it appeared that he was in all things governed by him; and that he pursued the measures which he had begun to take, of raising new divisions in that kingdom; for, before that time, the only division in Ireland was, that

\* James Douglas, second duke of Queensbury, was born in 1662. When returned from travelling, Charles the Second appointed him a privy councillor for Scotland, but these and other appointments he resigned when James succeeded to the throne. William restored him to all his offices, appointed him a lord of the bedchamber, a captain in the Dutch guard, made him a lord of the treasury, permitted him to vote in the house of lords as a Scotch peer, though his father was living, and appointed him to the lord treasurership of Scotland. In 1695, upon the death of his father, he resigned all his military employments, but was made lord privy seal, an extraordinary lord of session, knight of the garter, and for two sessions lord high commissioner. In this post he was retained by queen Anne, and she named him a commissioner of the union, of which he was a chief promoter, and for which he received extraordinary marks of public favour. He was elected one of the sixteen representative peers of Scotland. In 1704 he was obliged to retire from office by the superior numbers of his political opponents, but the next year returned to power as first lord of the treasury, and privy seal. He was raised to the English peerage as duke of Dorset, marquis of Beverley, and baron Rippon. From 1710 until his death in 1711, he was

one of the secretaries of state for the united kingdoms. His political opponents represent him in very odious lights, but there is no doubt that he was a talented, virtuous man.—Noble's Contin. of Grainger; Lockhart Papers—Peerages.

George Mackenzie, lord Macleod, and Castlehaven, viscount Tarbet, and earl of Cromartie, was distinguished for his loyalty in the reigns of Charles, James, and William. Besides the other appointments mentioned by Burnet, queen Anne appointed him justice-general, an office he resigned in 1710. He died in 1714, in his eighty-fourth year.—Noble.

† The order of the thistle was instituted by James the Fifth of Scotland, in the year 1554; revived by our James the Second in 1697, and re-established, as mentioned in the text, by queen Anne. The order consists of the sovereign, and twelve brethren, or knights. The star is a St. Andrew's cross of silver embroidery, with rays emanating between the points of the cross, on the centre of which is a thistle of green and gold upon a field green, round which is a circle of gold, and on this the motto " Nemo me impune lacerat." (No one provokes me with impunity.) The jewel and collar correspond.

of English and Irish, protestants and papists; but of late an animosity came to be raised there, like that we labour under in England, between whig and tory. The wiser sort of the English resolved to oppose this all they could, and to proceed with temper and moderation: the parliament there was opened with speeches and addresses, that carried the compliments to the duke of Ormond so far, as if no other person besides himself could have given them that settlement which they expected from his government. The trustees had raised a scandal upon that nation, as if they designed to set up an independence upon England; so they began the session with a vote, disclaiming that as false and injurious. They expressed on all occasions their hatred of the trustees and of their proceedings, yet they would not presume to meddle with any thing they had done, pursuant to the act that had passed in England, which vested the trust in them. They offered the necessary supplies, but took exceptions to the accounts that were laid before them, and observed some errors in them. This begat an uneasiness in the duke of Ormond; for though he was generous, and above all sordid practices, yet being a man of pleasure, he was much in the power of those who acted under him, and whose integrity was not so clear. One great design of the wiser among them was, to break the power of popery, and the interest, that the heads of the Irish families had among them: they enacted the succession of the crown, to follow the pattern set them by England in every particular. They also passed an act concerning papists, somewhat like that which had passed in England three years before; but with some more effectual clauses, for the want of which we have not yet had any fruit from our act: the main difference was that which made it look less invidious, and yet was more effectual, for breaking the dependence on the heads of families; for it was provided, that all estates should be equally divided among the children of papists, notwithstanding any settlements to the contrary, unless the persons on whom they were settled qualified themselves by taking the oaths, and coming to the communion of the church: this seemed to carry no hardship to the family in general, and yet gave hopes of weakening that interest so considerably, that the bill was offered to the duke of Ormond, pressing him with more than usual vehemence, to intercede so effectually, that it might be returned back under the great seal of England. They understood that the papists of Ireland had raised a considerable sum, to be sent over to England, to support their practices, in order to the stopping this bill: it came over, warmly recommended by the duke of Ormond; but it was as warmly opposed by those who had a mind to have a share in the presents, that were ready to be made. The pretence for opposing it was, that while the queen was so deeply engaged with the emperor, and was interceding for favour to the protestants in his dominions, it seemed not seasonable, and was scarcely decent, to pass so severe a law against those of his religion: though this had the less strength, since it was very evident that all the Irish papists were in the French interest, so there was no reason to apprehend that the emperor could be much concerned for them. The parliament of England was sitting when this bill came over, and men's eyes were much set on the issue of it; so that the ministers judged it was not safe to deny it: but a clause was added, which they hoped would hinder its being accepted in Ireland. That matter was carried on so secretly, that it was known to none, but those who were at the council, till the news of it came from Ireland, upon its being sent thither; the clause was to this purpose, that none in Ireland should be capable of any employment, or of being in the magistracy in any city, who did not qualify themselves by receiving the sacrament, according to the test-act passed in England, which before this time had never been offered to the Irish nation. It was hoped by those who got this clause to be added to the bill, that those in Ireland who promoted it most, would now be the less fond of it, when it had such a weight hung to it: the greatest part of Ulster was possessed by the Scotch, who adhered stiffly to their first education in Scotland; and they were so united in that way, that it was believed they could not find such a number of men who would qualify themselves, as was necessary by this clause, to maintain the order and justice of the country. Yet upon this occasion the Irish parliament proceeded with great caution and wisdom; they reckoned that this act, so far as it related to papists, would have a certain and great effect for their common security; and that when it was once passed, it would never be repealed; whereas if great inconveniences did arise upon this new clause, it would be an easier thing to

obtain a repeal of it, in a subsequent parliament, either of England or Ireland. So the act was passed, and those who thought they had managed the matter with a master-piece of cunning, were outwitted by an Irish parliament. However this artifice, and some other things in the Duke of Ormond's conduct, put them into such an ill humour, that the supply bill was clogged and lessened by many clauses added to it. The session ended in so much heat, that it was thought that parliament would meet no more, if the duke of Ormond was continued in the government.

Thus the parts of the government that were thought the most easily managed, Scotland and Ireland, had of late been put into so much disorder, that it might prove no easy work to set them again in order ; the government was every where going, as it were, out of joint ; its nerves and strength seemed to be much slackened ; the trusting and employing not only violent tories, but even known jacobites, as it brought a weakness on the management, so it raised a jealousy that could not be easily cured. Stories were confidently vented, and by some easily believed, that the queen was convinced of the wrong done her pretended brother, and that she was willing to put affairs in the hands of persons who favoured his succession ; it was also observed, that our court kept too cold civilities with the house of Hanover, and did nothing that was tender or cordial looking that way ; nor were any employed who had expressed a particular zeal for their interests. These things gave great jealousy : all that was said in excuse for trusting such persons, was, that it was fit once to try if good usage could soften them, and bring them entirely into the queen's interests ; and assurances were given, that, if upon a trial, the effect hoped for did not follow, they should be again dismissed.

This was the state of our affairs when a new session of parliament was opened in November : the queen, in her speech, expressed a great zeal for carrying on the war, and with relation to the affairs of Europe ; she recommended union and good agreement to all her people ; she said she wanted words to express how earnestly she desired this. This was understood as an intimation of her desire, that there should be no further proceedings in the bill against occasional conformity : addresses full of respect were made to the queen, in return to her speech ; and the lords, in theirs, promised to avoid every thing that should occasion disunion, or contention : but nothing could lay the heat of a party, which was wrought on by some who had designs that were to be denied, or disguised, till a proper time for owning them should appear. A motion was made in the house of commons for bringing in the bill against occasional conformity : great opposition was made to it ; the court was against it, but it was carried by a great majority that such a bill should be brought in. So a new draught was formed ; in it the preamble, that was in the former bill, was left out. The number, besides the family, that made a conventicle, was enlarged from five to twelve : and the fine set on those, who went to conventicles, after they had received the sacrament, besides the loss of their employment, was brought down to fifty pounds : these were artifices by which it was hoped, upon such softenings, once to carry the bill on any terms ; and when that point was gained, it would be easy afterwards to carry other bills of greater severity. There was now such a division upon this matter, that it was fairly debated in the house of commons ; whereas, before, it went there with such a torrent, that no opposition to it could be hearkened to. Those who opposed the bill went chiefly upon this ground, that this bill put the dissenters in a worse condition than they were before : so it was a breach made upon the toleration, which ought not to be done, since they had not deserved it by any ill behaviour of theirs, by which it could be pretended that they had forfeited any of the benefits, designed by that act : things of this kind could have no effect, but to embroil us with new distractions, and to disgust persons well affected to the queen and her government : it was necessary to continue the happy quiet that we were now in, especially in this time of war, in which even the severest of persecutors made their stops, for fear of irritating ill humours too much. The old topics of hypocrisy, and of the danger the church was in, were brought up again on behalf of the bill, and the bill passed in the house of commons by a great majority : and so it was sent up to the lords, where it occasioned one debate of many hours, whether the bill should be entertained, and read a second time, or be thrown out : the prince appeared no more for it, nor did he come to the house upon this occasion ; some







Engraved by H. Robinson.

JAMES BUTLER, SECOND DUKE OF ORMOND.

OB. 1715.

FROM THE ORIGINAL PAINTING IN THE COLLECTION OF

HIS GRACE, THE DUKE OF DEVONSHIRE.



who had voted for it, in the former session, kept out of the house, and others owned they saw farther into the design of the bill, and so voted against it. Upon a division it was carried, by a majority of twelve, not to give it a second reading, but to reject it.

The bishops were almost equally divided: there were two more against it than for it; among these, I had the largest share of censure on me, because I spoke much against the bill: I knew how the act of test was carried, as has been already shown in its proper place; I related that in the house, and the many practices of the papists, of setting us of the church against the dissenters, and the dissenters against us by turns, as it might serve their ends; I ventured to say, that a man might lawfully communicate with a church that he thought had a worship and a doctrine uncorrupted, and yet communicate more frequently with a church that he thought more perfect: I myself had communicated with the churches of Geneva and Holland: and yet at the same time communicated with the church of England: so, though the dissenters were in a mistake, as to their opinion, which was the more perfect church, yet allowing them a toleration in that error, this practice might be justified. I was desired to print what I said upon that occasion, which drew many virulent pamphlets upon me, but I answered none of them: I saw the jacobites designed to raise such a flame among us, as might make it scarcely possible to carry on the war; those who went not so deep, yet designed to make a breach on the toleration by gaining this point; and I was resolved never to be silent, when that should be brought into debate; for I have long looked on liberty of conscience as one of the rights of human nature, antecedent to society, which no man could give up because it was not in his own power: and our Saviour's rule, of doing as we would be done by, seemed to be a very express decision to all men who would lay the matter home to their own conscience, and judge as they would willingly be judged by others.

The clergy over England, who were generally inflamed with this matter, could hardly forgive the queen and the prince the coldness that they expressed on this occasion: the lord Godolphin did so positively declare, that he thought the bill unseasonable, and that he had done all he could to hinder its being brought in, that though he voted to give the bill a second reading, that did not reconcile the party to him: they set up the earl of Rochester as the only man to be depended on who deserved to be the chief minister.

The house of commons gave all the supplies that were necessary for carrying on the war: some tried to tack the bill against occasional conformity to the bill of supply, but they had not strength to carry it: the commons showed a very unusual neglect of all that related to the fleet, which was wont to be one of their chief cares; it was surmised, that they saw that if they opened that door, discoveries would be made of errors that could neither be justified, nor palliated, and that these must come home chiefly to their greatest favourites; so they avoided all examinations that would probably draw some censure on them.

The lords were not so tender; they found great fault with the counsels, chiefly with the sending Shovell to the Mediterranean, and Graydon to the West Indies; and laid all the discoveries that were made to them, with their own observations on them, before the queen, in addresses that were very plain, though full of all due respect: they went on likewise in their examinations of the outcry made of the waste of the public treasure in the last reign; they examined the earl of Orford's accounts, which amounted to seventeen millions, and upon which some observations had been made by the commissioners, for examining the public accounts; they found them all to be false in fact, or ill grounded, and of no importance.

The only particular that seemed to give a just colour to exception was very strictly examined: he had victualled the fleet while they lay all winter at Cadiz: the purser's receipts for the quantity that was laid into every ship were produced, but they had no receipts of the Spaniards, from whom they had bought the provisions; but they had entered the prices of them in their own books, and these were given in upon oath. This matter had been much canvassed in the late king's time, and it stood thus: Russel, now earl of Orford, when he had been ordered to lie at Cadiz, wrote to the board of victualling, to send one over to provide the fleet; they answered, that their credit was then so low, that they could not undertake it: so he was desired to do it upon his own credit. It appeared that no fleet nor single ship had ever been victualled so cheap as the fleet was then by him: it was not the custom in Spain to give receipts; but if any fraud had been intended, it would have been

easy to have got the Spaniards, after they had their money, to have signed any receipts that could have been offered them for swelling up the accounts; for the practices of swelling accounts in their dealings with their own court, were well known there. Upon these reasons the lords of the treasury had passed his accounts, and were of opinion that he had done a great service to the government in that whole transaction. The house of lords did now confirm this, and ordered an account of that whole matter to be printed.

The commons made no progress in any discoveries of ill practices in the earl of Ranelagh's office, but concluded that matter with an address to the queen, that she would order a prosecution. This was an artifice to make the nation still think, that great discoveries of corruption might be made, if carefully looked after: it was expected, after such an outcry as they had made, and after the expence the nation was put to, for this commission, and the extraordinary powers that were lodged with the commissioners, that at least some important discoveries should have been made by them.

The commons sent up a bill to the lords for continuing the commission another year: it was observed that an alteration was made of the persons; some who expected better places got their names to be left out. The lords excepted to one Bierly, who was named to be one of the commissioners, because he had been a colonel, and had not yet cleared the accounts of his own regiment; so they struck out his name, and named another; and they added two more, who were not members of the house of commons. The reason of this was, because the members of that house would not appear before them to explain some particulars; they only sent their clerk to inform them, and when the lords sent a message to the house of commons to desire them to order their members to attend on their committee, all the return they had was, that they would send an answer, by messengers of their own; but this was illusory, for they sent no such message. So the lords thought it necessary, in order to their being better informed, to put some in the commission for the future who should be bound to attend upon them as oft as they should be called for. The commons rejected these amendments, and pretended that this was of the nature of a money-bill, and that therefore the lords could make no alterations in it. The message that the commons sent the lords upon this head, came so near the end of the session, that the lords could not return an answer to it, with the reasons for which they insisted on their amendments; so that bill fell.

The charge of this commission amounted to eight thousand pounds a-year; the commissioners made much noise, and brought many persons before them to be examined, and gave great disturbance to all the public offices, what by their attendance on them, what by copying out all their books for their perusal, and yet in a course of many years, they had not made any one discovery; so a full stop was put to this way of proceeding.

An incident happened during this session, which may have great consequences, though in itself it might seem inconsiderable; there have been great complaints long made, and these have increased much within these few years, of great partiality and injustice in the elections of parliament-men, both by sheriffs in counties, and by the returning officers in boroughs. In Aylesbury, the return was made by four constables, and it was believed that they made a bargain with some of the candidates, and then managed the matter, so as to be sure that the majority should be for the person, to whom they had engaged themselves; they canvassed about the town, to know how the voters were set, and they resolved to find some pretence for disabling those who were engaged to vote for other persons than their friends, that they might be sure to have the majority in their own hands. And when this matter came to be examined by the house of commons, they gave the election always for him who was reckoned of the party of the majority, in a manner so barefaced, that they were scarcely out of countenance when they were charged for injustices in judging elections. It was not easy to find a remedy to such a crying abuse, of which all sides in their turns, as they happened to be depressed, had made great complaints; but when they came to be the majority, seemed to have forgot all that they had formerly cried out on. Some few excused this on the topic of retaliation; they said they dealt with others as they had dealt with them, or their friends. At last an action was brought against the constables of Aylesbury, at the suit of one who had been always admitted to vote in former elections, but was denied it in the last election. This was tried at the assizes, and it was found there by the jury, that the

constables had denied him a right of which he was undoubtedly in possession, so they were to be cast in damages; but it was moved in the Queen's Bench to quash all the proceedings in that matter, since no action did lie, or had ever been brought, upon that account. Powel, Gould and Powis were of opinion, that no hurt was done the man; that the judging of elections belonged to the house of commons; that as this action was the first of its kind, so if it was allowed, it would bring on an infinity of suits, and put all the officers concerned in that matter upon great difficulties: lord chief justice Holt, though alone, yet differed from the rest; he thought this was a matter of the greatest importance, both to the whole nation in general, and to every man in his own particular; he made a great difference between an election of a member, and a right to vote in such an election; the house of commons were the only judges of the former, whether it was rightly managed or not, without bribery, fraud or violence; but the right of voting in an election was an original right, founded either on a freehold of forty shillings a-year in the county, or on burgageland, or upon a prescription, or by charter, in a borough: these were all legal titles, and as such were triable in a court of law. Acts of parliament were made concerning them, and by reason of these, every thing relating to those acts was triable in a court of law; he spoke long and learnedly, and with some vehemence upon the subject: but he was one against three, so the order of the court went in favour of the constables\*. The matter was upon that brought before the house of lords by a writ of error; the case was very fully argued at the bar, and the judges were ordered to deliver their opinions upon it, which they did very copiously.

Chief justice Trevor insisted much on the authority that the house of commons had to judge of all those elections; from that he inferred that they only could judge who were the electors: petitions were often grounded on this, that in the poll some were admitted to a vote who had no right to it, and that others were denied it who had a right; so that in some cases they were the proper judges of this right; and if they had it in some cases, they must have it in all. From this he inferred that every thing relating to this matter was triable by them, and by them only; if two independent jurisdictions might have the same case brought before them, they might give contrary judgments in it; and this must breed great distraction in the execution of those judgments.

To all this it was answered, that a single man, who was wronged in this matter, had no other remedy but by bringing it into a court of law: for the house of commons could not examine the right of every voter, if the man, for whom he would have voted, was returned, he could not be heard to complain to the house of commons, though in his own particular he was denied a vote, since he could not make any exceptions to the return; so he must bear his wrong without a remedy, if he could not bring it into a court of law. A right of voting in an election was the greatest of all the rights of an Englishman, since by that he was represented in parliament; the house of commons could give no relief to a man wronged in this, nor any damages; they could only set aside one, and admit of another return; but this was no redress to him that suffered the wrong; it made him to be the less considered in his borough, and that might be a real damage to him in his trade; since this was a right inherent in a man, it seemed reasonable that it should be brought, where all other rights were tried, into a court of law; the abuse was new, and was daily growing, and it was already swelled to a great height; when new disorders happen, new actions must lie, otherwise there is a failure in justice, which all laws abhor; practices of this sort were enormous and crying; and if the judgment in the Queen's Bench was affirmed, it would very much increase these disorders, by this indemnity that seemed to be given to the officers, who took the poll.

After a long debate it was carried by a great majority to set aside the order in the Queen's Bench, and to give judgment according to the verdict given at the assizes. This gave great offence to the house of commons, who passed very high votes upon it, against the man of Aylesbury, as guilty of a breach of their privileges, and against all others who should for the future bring any such suits into courts of law; and likewise against all counsel, attorneys and others, who should assist in any such suits; and they affirmed that the whole matter relating to elections belonged only to them; yet they did not think fit to send for the

\* The arguments of the judges are given very fully in Lord Raymond's Reports, ii. 933—958, and in Salkeld's Reports, 19.

man who had sued, or rather in whose name the suit was carried on ; so they let the matter as to him fall, under a show of moderation and pity, and let it rest upon those general votes. The lords on their part ordered the whole state of the case to be drawn up and printed, which was done with much learning and judgment ; they also asserted the right that all the people of England had, to seek for justice in courts of law, upon all such occasions ; and that the house of commons, by their votes, struck at the liberties of the people, at the law of England, and at the judicature of the house of lords ; and they ordered the lord keeper to send a copy of the case and of their votes to all the sheriffs of England, to be communicated to all the boroughs in their counties. The house of commons was much provoked with this, but they could not hinder it ; the thing was popular, and the lords got great credit by the judgment they gave, which let the people of England see how they might be redressed for the future, if they should meet with the injustice, partiality, and other ill practices that had appeared of late in elections, even beyond the examples of former times. This may prove a restraint on the officers, now that they see they are liable to be sued, and that a vote of the house of commons cannot cover them \*.

During the session and on her own birth-day, which was the sixth of February, the queen sent a message to the house of commons, signifying her purpose to apply that branch of the revenue that was raised out of the first-fruits and tenths, paid by the clergy, to the increase of all the small benefices in the nation : this branch was an imposition, begun by the popes, in the time of the holy wars, and it was raised as a fund to support those expeditions : but when taxes are once raised by such an arbitrary power as the popes then assumed, and after there has been a submission, and the payments have been settled into a custom, they are always continued, even after the pretence, upon which they were at first raised, subsists no more : so this became a standing branch of the papal revenue, until Henry the Eighth seemed resolved to take it away : it was first abolished for a year, probably to draw in the clergy, to consent the more willingly to a change, that delivered them from such heavy impositions : but in the succeeding session of parliament, this revenue was again settled as part of the income of the crown for ever. It is true, it was the more easily borne, because the rates were still at the old value, which in some places was not the tenth, and in most not above the fifth part of the true value : and the clergy had been often threatened with a new valuation, in which the rates should be rigorously set to their full extent.

The tenths amounted to about 11,000*l.* a-year, and the first-fruits, which were more casual, rose one year with another, to 5,000*l.*, so the whole amounted to between sixteen and seventeen thousand pounds a-year : this was not brought into the treasury, as the other branches of the revenue ; but the bishops, who had been the pope's collectors, were now the king's, so persons in favour obtained assignations on them, for life, or for a term of years : this had never been applied to any good use, but was still obtained by favourites, for themselves and their friends : and in king Charles the Second's time, it went chiefly among his women and his natural children. It seemed strange, that while the clergy had much credit at court, they had never represented this as sacrilege, unless it was applied to some religious purpose, and that during archbishop Laud's favour with king Charles the First, or at the restoration of king Charles the Second, no endeavours had been used to appropriate this

\* The decision of the court of queen's bench, in this most important case, was reversed in the house of lords by a majority of fifty, opposed by only sixteen. Besides sir John Trevor, the chief justice of the common pleas, baron Price was the only judge that coincided with the three judges of the queen's bench. Chief baron Ward, baron Bury, baron Smith, and justice Tracy agreed with Holt. Justices Neville and Blencowe were absent. Holt emphatically and justly said upon this re-argument, " If such an action comes to be tried before me, I will direct the jury to make the defendant pay well for it. It is denying the plaintiff his English right, and if this action be not allowed, a man may be for ever deprived of it. It is a great privilege to choose such persons as are to bind a man's life and property by the laws they make."

Scarcely any judicial decision ever occasioned such a disturbance in the houses of parliament. The commons made strong resolutions vindictory of their right alone to determine all matters relative to elections ; which were met by counter resolutions of the peers, quite as strong, declaring that to assert a person deprived of his vote wrongfully, was without a remedy by the ordinary course of law, is destructive of the property of the subject, &c. This occasioned a free conference between the houses, but as neither would yield, the queen soon after dissolved the parliament.—Brown's Cases in Parliament, i. 45; Chandler's Debates House of Commons, iii. 303, 383, 395; House of Lords, ii. 74, 93 : Raymond's Rep. ii. 958.

to better uses: sacrilege was charged on other things, on very slight grounds; but this, which was more visible, was always forgotten \*.

When I wrote the history of the reformation, I considered this matter so particularly, that I saw here was a proper fund for providing better subsistence to the poor clergy; we having among us some hundreds of cures that have not of certain provision, twenty pounds a-year; and some thousands that have not fifty: where the encouragement is so small, what can it be expected clergymen should be? It is a crying scandal that at the restauration of king Charles the Second, the bishops and other dignitaries who raised much above a million in fines, yet did so little this way: I had possessed the late queen with this, so that she was fully resolved, if ever she had lived to see peace and settlement, to have cleared this branch of the revenue of all the assignations that were upon it, and to have applied it to the augmentation of small benefices. This is plainly insinuated in the essay that I wrote on her memory, some time after her death. I laid the matter before the late king, when there was a prospect of peace, as a proper expression both of his thankfulness to Almighty God, and of his care of the church; I hoped that this might have gained the hearts of the clergy: it might at least have put a stop to a groundless clamour raised against him, that he was an enemy to the clergy, which began to have a very ill effect on all his affairs. He entertained this so well, that he ordered me to speak to his ministers about it: they all approved it, the lord Somers and the lord Halifax did it in a most particular manner; but the earl of Sunderland obtained an assignation, upon two dioceses, for two thousand pounds a-year for two lives; so nothing was to be hoped for after that. I laid this matter very fully before the present queen, in the king's time, and had spoken often of it to the lord Godolphin.

This time was perhaps chosen to pacify the angry clergy, who were dissatisfied with the court, and began now to talk of the danger the church was in, as much as they had done during the former reign: this extraordinary mark of the queen's piety and zeal for the church produced many addresses, full of compliments, but it has not yet had any great effect in softening the tempers of peevish men. When the queen's message was brought to the house of commons, some of the whigs, particularly sir John Holland and sir Joseph Jekyll †, moved that the clergy might be entirely freed from that tax, since they bore as heavy a share of other taxes; and that another fund might be raised of the same value, out of which small benefices might be augmented; but this was violently opposed by Musgrave, and other tories, who said the clergy ought to be kept still in a dependence on the crown.

Upon the queen's message, a bill was brought in, enabling her to alienate this branch of the revenue, and to create a corporation by charter, to apply it to the use for which she now

\* The first-fruits, *primitiae*, or *annates*, were the first year's entire profits of a living, or other spiritual preferment, according to a valuation made under the direction of Pope Innocent the Fourth, by Walter, bishop of Norwich, in 1254 (38 Henry III.) and afterwards increased during the pontificate of Nicholas the Third, in 1292 (20 Edward I.). This last valuation is still preserved in the Exchequer. Tenthys, or *decimae*, were the tenth part of the annual profit of such preferment, according to the same valuation, claimed also by the popes under no more valid title than the command to the Levites, contained in Numbers xviii. 26. This claim met with a vigorous resistance from the English parliament, and a variety of statutes were made to restrain it. That passed in 1405 (6 Henry IV. c. 5) calls it "a horrible mischief and damnable custom." Yet the clergy continued to pay this tax to the papal see as the head of the church, until the statute 26 Henry VIII. c. 3, in 1525, made the king, for the time being, head of the church, and transferred to him the above payments. They continued to be paid to the crown until queen Anne, as mentioned by Burnet, gave them for the improvement of small livings, vesting the funds in trustees by statute 2 Anne, c. 11. It has ever since been known as queen Anne's bounty.—Blackstone's Commentaries, i. 234; Burn's Eccles. Law, ii. 260.

† Sir Joseph Jekyll, the son of a Northamptonshire clergyman, was born in 1663. Adopting the profession of the law, he speedily rose to eminence, was made a sergeant in 1700, and in a few years after became chief justice of Chester. At the death of William he was urged to resign this office, but no threats could induce him to comply with this wish of the court party. In the reign of Anne, as indeed throughout life, he was a truly consistent whig. It will be noticed hereafter, that he was a manager of the trial of Dr. Sacheverel. At the accession of George the First, he was knighted, and in 1717, upon the death of sir John Trevor, he was raised to the mastership of the rolls. Of the jurisdiction of this court he had a dispute with lord chancellor King, and published an essay on the subject. He died in 1733, meriting the character of "a gentleman who meant well, a lover of liberty and his country, an useful subject, an upright lawyer, and an amiable man." His wife, a sister of the great lord Somers, was fond of puzzling the learned Whiston, by asking him odd questions connected with revelation. Once, she enquired of him "why Eve was made of one of Adam's ribs?" He seemed to evade the question, but when she persisted with it, he replied, that he knew no better reason than "because it was the most crooked bone he had."—Gen. Biog. Diet.; Noble's Contin. of Grainger; Woolrych's Life of Jeffreys.

gave it ; they added to this a repeal of the statute of mortmain, so far as that it might be free to all men, either by deed, or by their last wills, to give what they thought fit towards the augmenting of benefices ; it was suggested, how truly I cannot tell, that this addition was made in hope that it would be rejected by the lords, and that the scandal of losing the bill might lie on them. It occasioned a great debate in the house of lords : it was said, that this law was made, and kept up, even during the times of popery, and it seemed not reasonable to open a door to practices upon dying men. It was answered, that we had not the arts of affrighting men by the terrors of purgatory, or by fables of apparitions ; where these were practised, it was very reasonable to restrain priests from those artifices by which they had so enriched their church, that without some such effectual checks they would have swallowed up the whole wealth of the world, as they had indeed in England, during popery, made themselves masters of a full third part of the nation. The bishops were so zealous and unanimous for the bill, that it was carried and passed into a law. The queen was pleased to let it be known, that the first motion of this matter came from me ; such a project would have been much magnified at another time ; and those who had promoted it would have been looked on as the truest friends of the church ; but this did not seem to make any great impression at that time ; only it produced a set of addresses from all the clergy of England, full of thanks and just acknowledgments.

I come now in the last place to give the relation of the discoveries made of a plot which took up much of the lords' time, and gave occasion to many sharp reflections that passed between the two houses in their addresses to the queen. About the same time that the story of Frazer's pass, and negotiations began to break out, sir John Maclean, a papist, and the head of that tribe, or clan, in the Highlands and western isles of Scotland, came over from France in a little boat, and landed secretly at Folkstone, in Kent ; he brought his lady with him, though she had been delivered of a child but eleven days before. He was taken, and sent up to London ; and it seemed, by all circumstances, that he came over upon some important design : he pretended at first, that he came only to go through England and Scotland, to take the benefit of the queen's general pardon there ; but when he was told that the pardon in Scotland was not a good warrant to come into England, and that it was high-treason to come from France, without a pass, he was not willing to expose himself to the severity of the law : so he was prevailed on to give an account of all that he knew, concerning the negotiations between France and Scotland. Some others were at the same time taken up upon his information, and some upon suspicion : among these there was one Keith, whose uncle was one of those who was most trusted by the court of St. Germain, and whom they had sent over with Frazer to bring them an account of the temper the Scotch were in, upon which they might depend. Keith had been long at that court, he had free access both to that queen and prince, and hoped they would have made him under secretary for Scotland ; for some time he denied that he knew any thing, but afterwards he confessed he was made acquainted with Frazer's transactions, and he undertook to deal with his uncle to come and discover all he knew, and pretended there was no other design among them but to lay matters so, that the prince of Wales should reign after the queen. Ferguson offered himself to make great discoveries : he said Frazer was employed by the duke of Queensbury to decoy some into a plot which he had framed and intended to discover as soon as he had drawn many into the guilt ; he affirmed that there was no plot among the jacobites, who were glad to see one of the race of the Stuarts on the throne ; and they designed when the state of the war might dispose the queen to a treaty with France to get such terms given her, as king Stephen and king Henry the Sixth had, to reign during her life. When I heard this, I could not but remember what the duke of Athol had said to myself, soon after the queen's coming to the crown ; I said, "I hoped none in Scotland thought of the prince of Wales :" he answered, "he knew none that thought of him as long as the queen lived :" I replied, "that if any thought of him after that, I was sure the queen would live no longer than till they thought their designs for him were well laid :" but he seemed to have no apprehensions of that. I presently told the queen this, without naming the person, and she answered me very quick, there was no manner of doubt of that ; but though I could not but reflect often on that discourse, yet since it was said to me in confidence, I never spoke of it

to any one person, during all the enquiry that was now on foot: but I think it too material not to set it down here. Ferguson was a man of a particular character; upon the revolution he had a very good place given him, but his spirit was so turned to plotting, that within a few months after he turned about, and he has been ever since the boldest and most active man of the jacobite party; he pretended he was now for high church, but many believed him a papist; there was matter of treason sworn both against him and Keith, but there was only one witness to it.

At the same time Lindsey was taken up, he had been under-secretary first to the earl of Melfort, and then to the earl of Middleton; he had carried over from France the letters and orders that gave rise to the earl of Dundee's breaking out, the year after the revolution; and he had been much trusted at St. Germains; he had a small estate in Scotland, and he pretended that he took the benefit of the queen's pardon, and had gone to Scotland to save that, and being secured by this pardon, he thought he might come from Scotland to England; but he could pretend no colour for his coming to England; so it was not doubted but that he came hither to manage their correspondence and intrigues. He pretended he knew of no designs against the queen and her government; and that the court of St. Germains, and the earl of Middleton in particular, had no design against the queen; but when he was shewed Frazer's commission to be a colonel, signed by the pretended king, and countersigned Middleton, he seemed amazed at it; he did not pretend it was a forgery, but he said that things of that kind were never communicated to him.

At the same time that these were taken up, others were taken on the coast of Sussex; one of these, Boucher, was a chief officer in the duke of Berwick's family, who was then going to Spain, but it was suspected that this was a blind to cover his going to Scotland; the house of lords apprehended that this man was sent on great designs, and suspecting a remissness in the ministry, in looking after and examining those who came from France, they made an address to the queen, that Boucher might be well looked to; they did also order sir John Maclean to be brought before them; but the queen sent them a message, that Maclean's business was then in a method of examination, and that she did not think fit to alter that for some time; but as for Boucher, and those who were taken with him, the earl of Nottingham told the house, that they were brought up, and that they might do with them as they pleased; upon that the house sent back Maclean, and ordered the usher of the black rod to take the other prisoners into his custody, and they named a committee of seven lords to examine them. At this time the queen came to the parliament, and acquainted both houses that she had unquestionable proofs of a correspondence between France and Scotland, with which she would acquaint them, when the examinations were taken.

The commons were in an ill humour against the lords, and so they were glad to find occasions to vent it. They thought the lords ought not to have entered upon this examination: they complained of it, as of a new and unheard-of thing, in an address to the queen: they said it was an invasion of her prerogative, which they desired her to exert. This was a proceeding without a precedent: the parliamentary method was, when one house was offended with any thing done in the other, conferences were demanded, in which matters were freely debated. To begin an appeal to the throne was new, and might be managed by an ill-designing prince, so as to end in the subversion of the whole constitution; and it was an amazing thing to see a house of commons affirm, in so public a manner and so positively, that the lords taking criminals into their own custody, in order to an examination, was without warrant or precedent; when there were so many instances fresh in every man's memory, especially since the time of the popish plot, of precedents in both houses, that went much further; of which a full search has been made, and a long list of them was read in the house of lords. That did not a little confound those among them, who were believed to be in a secret correspondence with the house of commons; they were forced to confess that they saw the lords had clear precedents to justify them in what they had done, of which they were in great doubt before.

The lords upon this made a very long address to the queen, in which they complained of the ill usage they had met with from the house of commons: they used none of those hard words that were in the address made against them by the house of commons, yet they

justified every step they had taken, as founded on the law and practice of parliament, and no way contrary to the duty and respect they owed the queen. The behaviour of the house of commons was such, on this occasion, as if they had no mind that plots should be narrowly looked into: no house of parliament, and indeed no court of judicature, did examine any person without taking him into their own custody, during such examination; and if a person's being in custody must restrain a house of parliament from examining him, here was a maxim laid down, by which bad ministers might cover themselves from any enquiry into their ill practices, only by taking the persons who could make discoveries into custody. The lords also set forth the ill consequences that might follow upon one house of parliament carrying their complaints of another to the throne, without taking first the proper method of conferences. This address was drawn with the utmost force, as well as beauty and decency of style; and was reckoned one of the best pieces of its kind that were in all the records of parliament. The queen, in her answer, expressed a great concern to see such a dispute between the two houses.

Boucher, when he was examined, would confess nothing. He said he was weary of living so long out of his country, and that having made some attempt to obtain a pass, when that was denied him, he chose, rather than to live always abroad, to come and cast himself upon the queen's mercy. It did not seem reasonable to believe this: so the lords made an address to the queen, that he might have no hopes of pardon till he was more sincere in his discoveries; and they prayed that he might be prosecuted on the statute. He confessed his crime, and was condemned, but continued still denying that he knew anything. Few could believe this; yet, there being no special matter laid against him, his case was to be pitied. He proved that he had saved the lives of many prisoners during the war of Ireland, and that, during the war in Flanders, he had been very careful of all English prisoners. When all this was laid before the lords, they did not think fit to carry the matter farther, so he was reprieved, and that matter slept.

About the end of January the queen sent the examinations of the prisoners to the two houses. The house of commons heard them read, but passed no judgment upon them, nor did they offer any advice to the queen upon this occasion; they only sent them back to the queen, with thanks for communicating them, and for her wisdom and care of the nation. It was thought strange, to see a business of this nature treated so slightly by a body that had looked, in former times, more carefully to things of this kind; especially since it had appeared, in many instances, how dexterous the French were in raising distractions in their enemies' country. It was evident that a negotiation was begun, and had been now carried on for some time, for an army that was to be sent from France to Scotland: upon this, which was the main of the discovery, it was very amazing to see that the commons neither offered the queen any advice, nor gave her a vote of credit, for any extraordinary expense in which the progress of that matter might engage her: a credit so given might have had a great effect towards defeating the design, when it appeared how well the queen was furnished to resist it. This coldness in the house of commons gave great and just ground of suspicion, that those who had the chief credit there did not act heartily, in order to the defeating all such plots, but were willing to let them go on, without check or opposition.

The lords resolved to examine the whole matter narrowly. The earl of Nottingham laid before them, an abstract of all the examinations the council had taken; but some took great exceptions to it, as drawn on design to make it appear more inconsiderable than they believed it to be. The substance of the whole was, that there went many messages between the courts of St. Germains and Versailles, with relation to the affairs of Scotland: the court of Versailles was willing to send an army to Scotland, but they desired to be well assured of the assistance they might expect there; in order to which some were sent over, according to what Frazer had told the duke of Queensbury: some of the papers were written in gibberish, so the lords moved that a reward should be offered to any who should decipher these. When the lords asked the earl of Nottingham if every thing was laid before them, he answered that there was only one particular kept from them; because they were in hopes of a discovery, that was likely to be of more consequence than all the rest. So after the delay of a few days to see the issue of it, which was Keith's endeavouring to persuade his

uncle (who knew every step that had been made in the whole progress of this affair) to come in and discover it, when they were told there was no more hope of that, the lords ordered the committee, which had examined Boucher, to examine into all these discoveries. Upon this the commons, who expressed a great uneasiness at every step the lords made in the matter, went with a new address to the queen, insisting on their former complaints against the proceedings of the lords, as a wresting the matter out of the queen's hands and the taking it wholly into their own: and they prayed the queen to resume her prerogative, thus violated by the lords, whose proceedings they affirmed to be without a precedent.

The seven lords went on with their examinations, and after some days they made a report to the house. Maclean's confession was the main thing, it was full and particular: he named the persons that sat in the council at St. Germains: he said the command was offered to the duke of Berwick, which he declined to accept till trial was made whether duke Hamilton would accept of it, who he thought was the proper person: he told likewise what directions had been sent to hinder the settling the succession in Scotland; none of which particulars were in the paper that the earl of Nottingham had brought to the house of his confession. It was further observed that all the rest, whose examinations amounted to little, were obliged to write their own confessions, or at least to sign them. But Maclean had not done this; for after he had delivered his confession by word of mouth to the earl of Nottingham, that lord wrote it all from his report, and read it to him the next day; upon which he acknowledged it contained a full account of all he had said. Maclean's discovery to the lords was a clear series of all the counsels and messages, and it gave a full view of the debates and opinions in the council at St. Germains, all which was omitted in that which was taken by the earl of Nottingham, and his paper concerning it was both short and dark: there was an appearance of truth in all that Maclean told, and a regular progress was set forth in it.

Upon these observations, those lords who were not satisfied with the earl of Nottingham's paper, intended to have passed a censure upon it as imperfect. It was said, in the debate that followed upon this motion, either Maclean was asked who was to command the army to be sent into Scotland, or he was not. If he was asked the question, and had answered it, then the earl of Nottingham had not served the queen or used the parliament well, since he had not put it in the paper: if it was not asked, here was a great remissness in a minister, when it was confessed that the sending over an army was in consultation, not to ask who was to command that army. Upon this occasion the earl of Torrington made some reflections that had too deep a venom in them: he said the earl of Nottingham did prove that he had often read over the paper, in which he had set down Maclean's confession, in his hearing, and had asked him if all he had confessed to him was not fully set down in that paper; to which he always answered, that every thing he had said was contained in it. Upon this, that earl observed, that Maclean, having perhaps told his whole story to the earl of Nottingham, and finding afterwards that he had written such a defective account of it, he had reason to conclude (for he believed, had he been in his condition, he should have concluded so himself) that the earl of Nottingham had no mind that he should mention any thing but what he had written down, and that he desired that the rest might be suppressed. He could not judge of others but by himself: if his life had been in danger, and if he were interrogated by a minister of state, who could do him either much good or much hurt, and if he had made a full discovery to him, but had observed that this minister in taking his confession in writing had omitted many things, he should have understood that as an intimation that he was to speak of these things no more; and so he believed he should have said it was all, though at the same time he knew it was not all, that he had said. It was hereupon moved that Maclean might be sent for and interrogated, but the party was not strong enough to carry any thing of that kind; and by a previous vote it was carried, to put no question concerning the earl of Nottingham's paper.

The lords were highly offended with Ferguson's paper, and passed a severe vote against those lords who had received such a scandalous paper from him, and had not ordered him

to be prosecuted upon it, which they directed the attorney-general to do. It was apparent there was a train of dangerous negotiations that passed between Scotland and St. Germains, though they could not penetrate into the bottom and depth of it ; and the design of Keith's bringing in his uncle was managed so remissly, that it was generally concluded that it was not in earnest desired it should succeed. During these debates, one very extraordinary thing happened. The earl of Nottingham did, upon three or four occasions, affirm that some things had been ordered in the cabinet council, which the dukes of Somerset and Devonshire, who were likewise of that council, did not agree with him in.

After all these examinations and debates, the lords concluded the whole matter with voting that there had been dangerous plots between some in Scotland and the court of France and St. Germains ; and that the encouragement of this plotting came from the not settling the succession to the crown of Scotland in the house of Hanover. These votes they laid before the queen, and promised, that when this was done, they would endeavour to promote the union of the two kingdoms, upon just and reasonable terms.

This being ended, they made a long and vigorous address, in answer to that which the commons had made against them. They observed how uneasy the commons had been at the whole progress of their inquiry into this matter, and had taken methods to obstruct it all they could ; which did not show that zeal for the queen's safety, and the preservation of the nation, to which all men pretended. They annexed to their address a list of many precedents, to show what good warrants they had for every step they had made. They took not the examination to themselves, so as to exclude others who had the same right, and might have done it as well as they if they had pleased. Their proceedings had been regular and parliamentary, as well as full of zeal and duty to the queen. They made severe observations on some of the proceedings in the house of commons, particularly on their not ordering writs to be issued out for some boroughs, to proceed to new elections, when they, upon pretence of corruption, had voted an election void ; which had been practised of late, when it was visible that the election would not fall on the person they favoured. They charged this as a denial of justice, and of the right that such boroughs had to be represented in parliament, and as an arbitrary and illegal way of proceeding. This address was penned with great care and much force. These addresses were drawn by the lord Somers, and were read over and considered and corrected very critically by a few lords, among whom I had the honour to be called for one. This, with the other papers that were published by the lords, made a great impression on the body of the nation : for the difference that was between these, and those published by the house of commons, was indeed so visible, that it did not admit of any comparison, and was confessed even by those who were the most partial to them.

An act passed in this session, which may be of great advantage to the nation, if well executed ; otherwise, since it is only enacted for one year, it will not be of much use. It empowers the justices of peace, or any three of them, to take up such idle persons as have no callings nor means of subsistence, and to deliver them to the officers of the army, upon paying them the levy money that is allowed for making recruits. The methods of raising these hitherto by drinking and other bad practices, as they were justly odious, so they were now so well known that they were no more of any effect : so that the army could not be recruited, but by the help of this act. And if this is well managed it will prove of great advantage to the nation ; since, by this means, they will be delivered from many vicious and idle persons, who are become a burden to their country. And indeed there was of late years so great an increase of the poor, that their maintenance was become in most places a very heavy load, and amounted to the full half of the public taxes. The party in both houses, that had been all along cold and backward in the war, opposed this act with unusual vehemence ; they pretended zeal for the public liberty and the freedom of the person, to which, by the constitution, they said every Englishman had a right ; which they thought could not be given away but by a legal government, and for some crime. They thought this put a power in the hands of justices of peace, which might be stretched and abused to serve bad ends. Thus men that seemed engaged to an interest that was destructive to all liberty, could yet

make use of that specious pretence, to serve their purpose. The act passed, and has been continued from year to year with a very good effect; only a visible remissness appears in some justices, who are secretly influenced by men of ill designs\*.

The chief objection made to it in the house of lords was, that the justices of peace had been put in and put out in so strange a manner, ever since Wright had the great seal, that they did not deserve so great a power should be committed to them. Many gentlemen of good estates and ancient families had been of late put out of the commission, for no other visible reason, but because they had gone in heartily to the revolution, and had continued zealots for the late king. This seemed done on design to mark them, and to lessen the interest they had in the elections of members of parliament: and at the same time, men of no worth nor estate, and known to be ill-affected to the queen's title, and to the protestant succession, were put in, to the great encouragement of ill-designing men. All was managed by secret accusations and characters that were very partially given. Wright was a zealot to the party, and was become very exceptionable in all respects. Money, as was said, did every thing with him; only in his court I never heard him charged for any thing but great slowness, by which the chancery was become one of the heaviest grievances of the nation. An address was made to the queen, complaining of the commissions of the peace, in which the lords delivered their opinion, that such as would not serve or act under the late king, were not fit to serve her majesty.

With this the session of parliament was brought to a quiet conclusion, after much heat and a great deal of contention between the two houses. The queen, as she thanked them for the supplies, so she again recommended union and moderation to them. These words, which had hitherto carried so good a sound, that all sides pretended to them, were now become so odious to violent men, that even in sermons, chiefly at Oxford, they were arraigned as importing somewhat that was unkind to the church, and that favoured the dissenters. The house of commons had, during this session, lost much of their reputation, not only with fair and impartial judges, but even with those who were most inclined to favour them. It is true, the body of the freeholders began to be uneasy under the taxes, and to cry out for a peace: and most of the capital gentry of England, who had the most to lose, seemed to be ill-turned, and not to apprehend the dangers we were in, if we should fall under the power of France, and into the hands of the pretended prince of Wales; or else they were so fatally blinded, as not to see that these must be the consequences of those measures in which they were engaged.

The universities, Oxford especially, have been very unhappily successful in corrupting the principles of those who were sent to be bred among them: so that few of them escaped the taint of it, and the generality of the clergy were not only ill-principled but ill-tempered. They exclaimed against all moderation, as endangering the church, though it is visible that the church is in no sort of danger from either the numbers or the interest that the dissenters have among us, which by reason of the toleration is now so quieted, that nothing can keep up any heat in those matters but the folly and bad humour that the clergy are possessed with, and which they infuse into all those with whom they have credit. But at the same time, though the great and visible danger that hangs over us is from popery, which a miscarriage in the present war must let in upon us, with an inundation not to be either resisted or recovered, they seem to be blind on that side, and to apprehend and fear nothing from that quarter.

The convocation did little this winter, they continued their former ill practices; but little opposition was made to them, as very little regard was had to them. They drew up a representation of some abuses in the ecclesiastical discipline, and in the consistorial courts; but took care to mention none of those greater ones, of which many among themselves were eminently guilty, such as pluralities, non-residence, the neglect of their cures, and the irregularities in the lives of the clergy, which were too visible.

Soon after the session was ended, the duke of Marlborough went over to Holland. He had gone over for some weeks, at the desire of the States, in January, and then there was a scheme formed for the operations of the next campaign. It was resolved that, instead of a

\* This despotic statute, 2 & 3 Anne, c. xix. was allowed to expire.

fruitless one in the Netherlands, they would have a small army there, to lie only on the defensive, which was to be commanded by M. Auverquerque; but that, since the Rhine was open, by the taking of Bonn, all up to the Moselle, their main army, that was to be commanded by the duke of Marlborough, should act there. More was not understood to be designed, except by those who were taken into the confidence. Upon this all the preparations for the campaign were ordered to be carried up to the Rhine; and so every thing was in a readiness when he returned back to them in April. The true secret was in few hands, and the French had no hint of it, and seemed to have no apprehensions about it.

The earl of Nottingham was animated by the party, to press the queen to dismiss the dukes of Somerset and Devonshire from the cabinet council, at least that they might be called thither no more. He moved it often, but finding no inclination in the queen to comply with his motion, he carried the signet to her, and told her he could not serve any longer in councils to which these lords were admitted; but the queen desired him to consider better of it. He returned next day, fixed in his first resolution, to which he adhered the more steadily, because the queen had sent to the earl of Jersey for the lord chamberlain's staff, and to sir Edward Seymour for the comptroller's. The earl of Jersey was a weak man, but crafty and well practised in the arts of a court: his lady was a papist: and it was believed that, while he was ambassador in France, he was secretly reconciled to the court of St. Germains; for after that he seemed in their interests. It was one of the reproaches of the last reign that he had so much credit with the late king, who was so sensible of it, that if he had lived a little while longer, he would have dismissed him. He was considered as the person that was now in the closest correspondence with the court of France; and though he was in himself a very inconsiderable man, yet he was applied to by all those who wished well to the court of St. Germains. The earl of Kent had the staff: he was the first earl of England, and had a great estate. Mansell, the heir of a great family in Wales, was made comptroller. And, after a month's delay, Harley, the speaker, was made secretary of state.

But now I turn to give an account of the affairs abroad. The emperor was reduced to the last extremities; the elector of Bavaria was master of the Danube all down to Passau; and the mal-contents in Hungary were making a formidable progress. The emperor was not in a condition to maintain a defensive war long on both hands, so that when these should come to act by concert, no opposition could be made to them. Thus his affairs had a very black appearance, and utter ruin was to be apprehended. Vienna would be probably besieged on both sides, and it was not in a condition to make a long defence; so the house of Austria seemed lost. Prince Eugene proposed that the emperor should implore the queen's protection: this was agreed to, and count Wratislaw managed the matter at our court with great application and secrecy. The duke of Marlborough saw the necessity of undertaking it, and resolved to try, if it was possible, to put it in execution. When he went into Holland in the winter, he proposed it to the pensioner and other persons of the greatest confidence; they approved of it: but it was not advisable to propose it to the States: at that time many of them would not have thought their country safe, if their army should be sent so far from them; nothing could be long a secret that was proposed to such an assembly, and the main hope of succeeding in this design lay in the secrecy with which it was conducted. Under the blind of the project of carrying the war to the Moselle, every thing was prepared that was necessary for executing the true design. When the duke went over the second time, that which was proposed in public related only to the motions towards the Moselle: so he drew his army together in May. He marched towards the Moselle; but he went further; and, after he had gained the advance of some days of the French troops, he wrote to the States, from Ladenburg, to let them know that he had the queen's order, to march to the relief of the empire, with which he hoped they would agree, and allow of his carrying their troops to share in the honour of that expedition. He had their answer as quick as the courier could carry it, by which they approved of the design, and of his carrying their troops with him.

So he marched with all possible expedition from the Rhine to the Danube; which was a great surprise to the court of France, as well as to the elector of Bavaria. The king of

France sent orders to mareschal Tallard to march in all haste with the best troops they had to support the elector, who apprehended that the duke of Marlborough would endeavour to pass the Danube at Donawert, and so to break into Bavaria. To prevent that, he posted about sixteen thousand of his best troops at Schellenberg, near Donawert, which was looked on as a very strong and tenable post. The duke of Marlborough joined the prince of Baden, with the imperial army, in the beginning of July, and after a long march, continued from three in the morning, they came up to the Bavarian troops towards the evening. They were so well posted that our men were repulsed in the three first attacks, with great loss: at last the enemy were beaten from their posts, which was followed with a total rout, and we became masters of their camp, their artillery, and their baggage. Their general, Arco, with many others, swam over the Danube: others got into Donawert, which they abandoned next morning with that precipitation, that they were not able to execute the elector's cruel orders, which were, to set fire to the town, if they should be forced to abandon it; great quantities of straw were laid in many places as a preparation for that, in case of a misfortune.

The best half of the Bavarian forces were now entirely routed, about five thousand of them were killed. We lost as many, for the action was very hot, and our men were much exposed; yet they went still on, and continued the attack with such resolution, that it let the generals see how much they might depend on the courage of their soldiers. Now we were masters of Donawert, and, thereby, of a passage over the Danube, which laid all Bavaria open to our army. Upon that the elector, with mareschal Marsin, drew the rest of his army under the cannon of Augsburg, where he lay so well posted, that it was not possible to attack him, nor to force him out of it. The duke of Marlborough followed him, and got between him and his country, so that it was wholly in his power. When he had him at this disadvantage, he entered upon a treaty with him, and offered him what terms he could desire, either for himself or his brother, even to the paying him the whole charge of the war, upon condition that he would immediately break with the French and send his army into Italy, to join with the imperialists there. His subjects, who were now at mercy, pressed him vehemently to accept of those terms: he seemed inclined to hearken to them, and messengers went often between the two armies: but this was done only to gain time, for he sent courier after courier, with most pressing instances, to hasten the advance of the French army. When he saw he could gain no more time, the matter went so far that the articles were ordered to be made ready for signing. In conclusion, he refused to sign them; and then severe orders were given for military execution on his country. Every thing that was within the reach of the army, that was worth taking, was brought away, and the rest was burnt and destroyed.

The two generals did after that resolve on further action, and since the elector's camp could not be forced, the siege of Ingolstad was to be carried on: it was the most important place he had, in which his great magazines were laid up. The prince of Baden went to besiege it, and the duke of Marlborough was to cover the siege, in conjunction with prince Eugene, who commanded a body of the imperial army, which was now drawn out of the posts in which they had been put, in order to hinder the march of the French: but they were not able to maintain them against so great a force as was now coming up; these formed a great army. Prince Eugene, having intelligence of the quick motions of the French, posted his troops, that were about eighteen thousand, as advantageously as he could, and went to concert matters with the duke of Marlborough, who lay at some distance. He upon that marched towards the prince's army with all possible haste, and so the two armies joined. It was now in the beginning of August. The elector, hearing how near M. Tallard was, marched with M. Marsin and joined him. Their armies advanced very near ours, and were well posted, having the Danube on one side and a rivulet on the other, whose banks were high, and in some places formed a morass before them. The two armies were now in view one of another. The French were superior to us in foot by about ten thousand; but we had three thousand more horse than they. The post of which they were possessed was capable of being, in a very little time, put out of all danger of future attacks. So the duke of Marlborough and prince Eugene saw how important it was to lose no time, and resolved

to attack them the next morning. They saw the danger of being forced otherwise to lie idle in their camp, until their forage should be consumed, and their provisions spent. They had also intercepted letters from mareschal Villeroy to the elector, by which it appeared that he had orders to march into Wirtemberg, to destroy that country, and to cut off the communication with the Rhine, which must have been fatal to us. So the necessary dispositions were made for the next morning's action. Many of the general officers came and represented to the duke of Marlborough the difficulties of the design. He said he saw these well, but the thing was absolutely necessary. So they were sent to give orders everywhere, which was received all over the army with an alacrity that gave a happy presage of the success that followed.

I will not venture on a particular relation of that great day: I have seen a copious account of it, prepared by the duke of Marlborough's orders, that will be printed some time or other; but there are some passages in it, which make him not think it fit to be published presently. He told me he never saw more evident characters of a special providence than appeared that day; a signal one related to his own person: a cannon-ball went into the ground so near him, that he was some time quite covered with the cloud of dust and earth that it raised about him. I will sum up the action in a few words.

Our men quickly passed the brook, the French making no opposition. This was a fatal error, and was laid wholly to Tallard's charge. The action that followed was for some time very hot, many fell on both sides: ten battalions of the French stood their ground, but were in a manner mowed down in their ranks; upon that the horse ran many of them into the Danube, most of these perished: Tallard himself was taken prisoner. The rest of his troops were posted in the village of Blenheim: these, seeing all lost, and that some bodies were advancing upon them, which seemed to them to be thicker than indeed they were, and apprehending that it was impossible to break through, they did not attempt it, though brave men might have made their way. Instead of that, when our men came up to set fire to the village, the earl of Orkney first beating a parley, they hearkened to it very easily, and were all made prisoners of war: there were about thirteen hundred officers and twelve thousand common soldiers, who laid down their arms, and were now in our hands. Thus all Tallard's army was either killed in the action, drowned in the Danube, or become prisoners by capitulation. Things went not so easily on prince Eugene's side, where the elector and Marsin commanded: he was repulsed in three attacks, but carried the fourth, and broke in; and so he was master of their camp, cannon, and baggage. The enemy retired in some order, and he pursued them as far as men wearied with an action of about six hours, in an extremely hot day, could go. Thus we gained an entire victory. In this action there were on our side about twelve thousand killed and wounded: but the French and the elector lost about forty thousand killed, wounded, and taken\*.

The elector marched with all the haste he could to Ulm, where he left some troops, and then with a small body got to Villeroy's army. Now all Bavaria was at mercy: the electress received the civilities due to her sex, but she was forced to submit to such terms as were imposed on her: Ingolstad and all the fortified places in the electorate, with the magazines that were in them, were soon delivered up: Augsburg, Ulm, and Meming, quickly recovered their liberty: so now our army, having put a speedy conclusion to the war that was got so far into the bowels of the empire, marched quickly back to the Rhine. The emperor made great acknowledgments of this signal service which the duke of Marlborough had done him, and upon it offered to make him a prince of the empire. He very decently said he could not accept of this till he knew the queen's pleasure: and, upon her consenting to it, he was created a prince of the empire, and about a year after Mindleheim was assigned him for his principality.

Upon this great success in Germany, the duke of Savoy sent a very pressing message for a present supply. The duke of Vendome was in Piedmont, and after a long siege had taken Verceil, and was likely to make a further progress. The few remains of the imperial army

\* It was for this victory of Blenheim that the honour of Woodstock, now known as Blenheim House, &c. were bestowed upon the duke of Marlborough. For particulars of this and others of the duke's exploits, the reader is again referred to Coxe's "Memoirs and Correspondence" of that great general.







Engraved by H. T. Ryall.

JOHN CHURCHILL, DUKE OF MARLBOROUGH.

OB 1722

FROM THE COLLECTION OF

HIS GRACE THE DUKE OF MARLBOROUGH



that lay in the Modenese gave but a small diversion : the grand prior had so shut them up, that they lay on a feeble defensive. Baron Leiningen was sent with another small army into the Brescian ; but he was so ill supplied, that he could do nothing but eat up the country : and the Venetians were so feeble and so fearful, that they suffered their country to be eat up by both sides, without declaring for or against either. The prince of Baden insisted on undertaking the siege of Landau, as necessary to secure the circles, Suabia in particular, from the excursions of that garrison. This was popular in Germany, and though the duke of Marlborough did not approve it, he did not oppose it, with all the authority that his great success gave him. So the prince of Baden undertook it, while the duke with his army covered the siege. This was universally blamed, for, while France was in the consternation which the late great loss brought them under, a more vigorous proceeding was likely to have greater effects ; besides that the imperial army was ill provided, the great charge of a siege was above their strength. The prince of Baden suffered much in his reputation for this undertaking : it was that which the French wished for, and so it was suspected that some secret practice had prevailed on that prince to propose it. It is certain that he was jealous of the glory the duke had got, in which he had no share ; and it was believed that if he had not gone to besiege Ingolstadt, the battle had never been fought. He was indeed so fierce a bigot in religion, that he could not bear the successes of those he called heretics, and the exaltation which he thought heresy might have upon it.

While the duke of Marlborough lay covering the siege, Villeroy with his army came and looked on him ; but, as our soldiers were exalted with their success, so the French were too much dispirited with their losses to make any attack, or to put any thing to hazard, in order to raise the siege. They retired back, and went into quarters, and trusted to the bad state of the imperial army, who were ill provided and ill supplied : the garrison made as vigorous a defence, and drew out the siege to as great a length as could be expected. The prince of Baden had neither engineers nor ammunition, and wanted money to provide them ; so that if the duke had not supplied him, he must have been forced to give it over. The king of the Romans came again to have the honour of taking the place : his behaviour there did not serve to raise his character : he was not often in the places of danger, and was content to look on at a great and safe distance : he was always beset with priests, and such a face of superstition and bigotry appeared about him, that it very much damped the hopes that were given of him.

When it appeared that there was no need of an army to cover the siege, and that the place could not hold out many days, the duke of Marlborough resolved to possess himself of Triers, as a good winter quarter, that brought him near the confines of France, from whence he might open the campaign next year with great advantage ; and he reckoned that the taking of Traerback, even in that advanced season, would be soon done, and then the communication with Holland, by water, was all clear : so that during the winter, every thing that was necessary could be brought up thither from Holland safe and cheap. This he executed with that diligence, that the French abandoned every place as he advanced with such precipitation, that they had not time given them to burn the places they forsook, according to the barbarous method which they had long practised. The duke got to Triers, and that being a large place he posted a great part of his army in and about it, and left a sufficient force with the prince of Hesse for the taking of Traerback, which held out some weeks, but capitulated at last. Landau was not taken before the middle of November.

Thus ended this glorious campaign, in which England and Holland gained a very unusual glory ; for as they had never sent their armies so far by land, so their triumphant return helped not a little to animate and unite their counsels. Prince Eugene had a just share in the honour of this great expedition, which he had chiefly promoted by his counsels, and did so nobly support by his conduct. The prince of Baden had no share in the public joy : his conduct was as bad as could be, and the fret he was possessed with, upon the glory that the other generals carried from him, threw him, as was believed, into a languishing, of which he never quite recovered, and of which he died two years after.

At the conclusion of the campaign, the duke of Marlborough went to Berlin, where he concerted the measures for the next campaign, and agreed with the king of Prussia for eight thousand of his troops, which were to be sent to Italy upon the queen's pay. He had settled matters with the emperor's ministers, so that they undertook to send prince Eugene with an army of twenty thousand men, who should begin their march into Italy as soon as it was possible to pass the mountains: of these, the queen and the States were to pay sixteen thousand. He returned by the court of Hanover, where he was treated with all the honour that the success of the campaign well deserved. He met with the same reception in Holland, and was as much considered and submitted to as if he had been their stadtholder. The credit he was in among them was very happy to them, and was indeed necessary at that time for keeping down their factions and animosities, which were rising in every province and in most of their towns. Only Amsterdam, as it was the most sensible of the common danger, so it was not only quiet within itself, but it contributed not a little to keep all the rest so, which was chiefly maintained by the duke of Marlborough's prudent management. England was full of joy, and addresses of congratulation were sent up from all parts of the nation; but it was very visible that, in many places, the tories went into these very coldly, and perhaps that made the whigs more zealous and affectionate.

I now turn to the other element, where our affairs were carried on more doubtfully. Rook sailed into the Straits, where he reckoned he was strong enough for the Toulon squadron, which was then abroad in the Mediterranean. Soon after that, a strong squadron from Brest passed by Lisbon into the Straits. Methuen, our ambassador there, apprehending that if these two squadrons should join to attack Rook, it would not be possible for him to fight against so great a force, sent a man-of-war, that Rook had left at Lisbon, with some particular orders, which made him very unwilling to carry the message, but Methuen promised to save him harmless. He upon that sailed through the French fleet, and brought this important advertisement to Rook, who told him, that on this occasion he would pass by his not observing his orders, but that, for the future, he would find the safest course was to obey orders. Upon this, Rook stood out of the way of the French, towards the mouth of the Straits, and there he met Shovel with a squadron of our best ships; so, being thus reinforced, he sailed up the Straits, being now in a condition, if need were, to engage the French. He came before Barcelona, where the prince of Hesse Darmstadt assured him there was a strong party ready to declare for king Charles, as it was certain that there was a great disposition in many to it. But Rook would not stay above three days before it: so that the motions within the town, and the discoveries that many made of their inclinations, had almost proved fatal to them. He answered, when pressed to stay a few days more, that his orders were positive; he must make towards Nice; which it was believed the French intended to besiege.

But, as he was sailing that way, he had advice that the French had made no advances in that design: so he turned his course westward, and came in sight of the French fleet, sailing from Brest to Toulon. The advantage he had was so visible, that it was expected he would have made towards them: he did it not: what orders he had was not known, for the matter never came under examination. They got to Toulon, and he steered another way. The whole French fleet was then together in that harbour; for though the Toulon squadron had been out before, it was then in port.

A very happy accident had preserved a rich fleet of merchant ships from Scanderoon, under the convoy of three or four frigates, from falling into their hands. The French fleet lay in their way in the bay of Tunis, and nothing could have saved them from being taken but that which happened in the critical minute in which they needed it: a thick fog covered them all the while that they were sailing by that bay, so that they had no apprehension of the danger they were in till they had passed it. I know it is not possible to determine, when such accidents rise from a chain of second causes in the course of nature, and when they are directed by a special providence; but my mind has always carried me so strongly to acknowledge the latter, that I love to set these reflections in the way of others, that they may consider them with the same serious attention that I feel in myself.

Rook, as he sailed back, fell in upon Gibraltar, where he spent much powder, bombarding it to very little purpose, that he might seem to attempt somewhat, though there was no reason to hope that he could succeed : some bold men ventured to go ashore in a place where it was not thought possible to climb up the rocks, yet they succeeded in it : when they got up, they saw all the women of the town were come out, according to their superstition, to a chapel there, to implore the virgin's protection : they seized on them, and that contributed not a little to dispose those in the town to surrender. They had leave to stay, or go, as they pleased ; and, in case they stayed, they were assured of protection in their religion, and in every thing else ; for the prince of Hesse, who was to be their governor, was a papist. But they all went away with the small garrison that had defended the place. The prince of Hesse, with the marines that were on board the fleet, possessed himself of the place, and they were furnished out of the stores, that went with the fleet, with every thing that was necessary for their subsistence or defence ; and a regular method was laid down of supplying them constantly from Lisbon.

It has been much questioned, by men who understand these matters well, whether our possessing ourselves of Gibraltar, and our maintaining ourselves in it so long, was to our advantage or not. It has certainly put us to a great charge, and we have lost many men in it ; but it seems the Spaniards, who should know the importance of the place best, think it so valuable, that they have been at a much greater charge, and have lost many more men, while they have endeavoured to recover it, than the taking or keeping it has cost us. And it is certain that in war, whatsoever loss on one side occasions a greater loss of men, or of treasure, to the other, must be reckoned a loss only to the side that suffers most.

Our expedition in Portugal, and our armies there, which cost us so dear, and from which we expected so much, had not hitherto had any great effect. The king of Portugal expressed the best intentions possible ; but he was much governed by his ministers, who were all in the French interests : they had a great army, but they had made no preparations for taking the field ; nor could they bring their troops together for want of provisions and carriages ; the forms of their government made them very slow, and not easily accessible. They were too proud to confess that they wanted anything when they had nothing, and too lazy to bestir themselves to execute what was in their power to do ; and the king's ill health furnished them with an excuse for every thing that was defective and out of order. The priests both in Spain and Portugal were so universally in the French interest, that even the house of Austria, that had been formerly so much in their favour, was now in disgrace with them. Their alliance with heretics, and their bringing over an army of them to maintain their pretensions, had made all their former services be forgotten. The governing body at Rome did certainly engage all their zealots everywhere to support that interest which is now so set on the destruction of heresy. King Philip advanced towards the frontiers of Portugal, his army being commanded by the duke of Berwick, who began to shine there, though he had passed elsewhere for a man of no very great character. They had several advantages of the Portuguese : some of the English and Dutch battalions, which were so posted that they could not be relieved, and in places that were not tenable, fell into the enemy's hands, and were made prisoners of war. Some of the general officers who came over said to me, that, if the duke of Berwick had followed his advantages, nothing could have hindered his coming to Lisbon. The duke of Schomberg was a better officer in the field than in the cabinet ; he did not enough know how to prepare for a campaign, he was both too inactive and too haughty ; so it was thought necessary to send another to command. The earl of Galway was judged the fittest person for that service : he undertook it, more in submission to the queen's commands than out of any great prospect or hopes of success. Things went on very heavily there : the distraction that the taking Gibraltar put the Spaniards in, as it occasioned a diversion of some of the Spanish forces that lay on their frontier, so it furnished them with advantages, which they took no care to improve.

Rook, after he had supplied Gibraltar, sailed again into the Mediterranean, and there he met the count of Thoulouse with the whole French fleet. They were superior to the English in number, and had many galleys with them that were of great use. Rook called

a council of war, in which it was resolved to engage them. There was not due care taken to furnish all the ships with a sufficient quantity of powder, for some had wasted a great part of their stock of ammunition before Gibraltar, yet they had generally twenty-five rounds, and it had seldom happened that so much powder was spent in an action at sea. On the 12th of August, just ten days after the battle of Hocksted, the two fleets engaged. Shovel advanced with his squadron to a close fight, for it was the maxim of our seamen to fight as near as they could : he had the advantage, and the squadron before him gave way. Rook fought at a greater distance ; many broadsides passed, and the engagement continued till night parted them : some ships, that had spent all their ammunition, were forced on that account to go out of the line, and if the French had come to a new engagement next day, it might have been fatal, since many of our ships were without powder, whilst others had enough and to spare.

In this long and hot action there was no ship of either side that was either taken, sunk, or burnt. We made a show the next day of preparing for a second engagement, but the enemy bore off, to the great joy of our fleet. The French suffered much in this action, and went into Toulon so disabled, that they could not be put in a condition to go to sea again in many months. They left the sea, as the field of battle, to us ; so the honour of the action remained with us : though the nation was not much lifted up with the news of a drawn battle at sea with the French. We were long without a certain account of this action ; but the modesty in which the king of France wrote of it to the archbishop of Paris put us out of all fears ; for whereas their style was very boasting of their successes, in this it was only said that the action was to his advantage : from that cold expression we concluded the victory was on our side.

When the full account was sent home from our fleet, the partiality on both sides appeared very signally. The tories magnified this as a great victory, and in their addresses of congratulation to the queen, they joined this with that which the duke of Marlborough had gained at Hocksted. I understand nothing of sea matters, and therefore cannot make a judgment in the point. I have heard men, skilled in those affairs, differ much in their sentiments of Rook's conduct in that action : some not only justifying but extolling it, as much as others condemned it. It was certainly ridiculous to set forth the glory of so disputable an engagement in the same words with the successes we had by land. The fleet soon after sailed home for England, Leak\* being left with a squadron at Lisbon.

The Spaniards drew all the forces they had in Andalusia and Estremadura together, to retake Gibraltar : that army was commanded by the duke of Villadarias ; he had with him some French troops, with some engineers of that nation, who were chiefly relied on, and were sent from France to carry on the siege. This gave some disgust to the Spaniards, who were so foolish in their pride, that though they could do nothing for themselves, and indeed knew not how to set about it, yet could not bear to be taught by others, or to see themselves outdone by them. The siege was continued for above four months, during which time the prince of Hesse had many occasions given him to distinguish himself very eminently, both as to his courage, conduct, and indefatigable application. Convoys came frequently from Lisbon with supplies of men and provisions, which the French were not able to hinder, or to intercept. Pointy at last came, with a squadron of twenty French ships, and lay long in the bay, trying what could be done by sea, while the place was pressed by land : upon that a much stronger squadron was sent from Lisbon, with a great body of men and stores of all sorts, to relieve the place and to raise the siege : and the court of France, not being satisfied with the conduct of the Spanish general, sent mareschal Tessé to carry on the siege with greater expedition. The Portuguese all this while made no use of the diversion given by the siege of Gibraltar : they made great demands on us ; for England was now considered as a source that could never be exhausted. We granted all their demands, and a body of horse was sent to them at a vast charge. The king was in a very ill state of health, occasioned by disorders in his youth ; he had not been treated skilfully, so he was often relapsing, and

\* The life of this brave seaman, sir John Leake, was printed for private circulation by Mr. Stephen Martin Leake, garter king at arms.—Noble's Contin. of Grainger.

was not in a condition to apply himself much to business. For some time our queen dowager\* was set at the head of their councils : her administration was much commended, and she was very careful of the English and all their concerns.

In Italy the duke of Savoy had a melancholy campaign, losing place after place ; but he supported his affairs with great conduct, and showed a firmness in his misfortunes beyond what could have been imagined. Vercceil and Yvreal gave the duke of Vendome the trouble of a tedious siege ; they stood their ground as long as possible : the duke of Savoy's army was not strong enough to raise these sieges, so both places fell in conclusion. The French had not troops both to carry on the war and to leave garrisons in those places, so they demolished the fortifications : after they had succeeded so far, they sat down before Vervel in the end of October. The duke of Savoy posted his army at Crescentino, over against it, on the other side of the Po : he had a bridge of communication : he went often into the place during the siege, to see and animate his men, and to give all necessary orders : the sick and wounded were carried away, and fresh men put in their stead. This siege proved the most famous of all that had been during the late wars ; it lasted above five months, the garrison being often changed, and always well supplied. The French army suffered much by continuing the siege all the winter, and they were at a vast charge in carrying it on ; the bridge of communication was, after many unsuccessful attempts, at last cut off : and the duke of Savoy, being thus separated from the place, retired to Chivaz, and left them to defend themselves as long as they could, which they did beyond what could in reason have been expected. The duke of Savoy complained much of the emperor's failing to make good his promises ; but, in a discourse upon that subject with the queen's envoy, he said, though he was abandoned by his allies, he would not abandon himself.

The poor people in the Cevennes suffered much this summer. It was not possible to come to them with supplies till matters should go better in Piedmont, of which there was then no prospect ; they were advised to preserve themselves the best they could. Marshal Villars was sent into the country to manage them with a gentler hand. The severe methods taken by those formerly employed being now disowned, he was ordered to treat with their leaders, and to offer them full liberty to serve God in their own way without disturbance. They generally inclined to hearken to this, for they had now kept themselves in a body much longer than was thought possible in their low and helpless state : some of them capitulated, and took service in the French army ; but as soon as they came near the armies of the allies they deserted and went over to them, so that by all this practice that fire was rather covered up at present than quite extinguished.

The disorders in Hungary had a deeper root and a greater strength : it was hoped that the ruin of the elector of Bavaria would have quite disheartened them, and have disposed them to accept of reasonable terms, if the emperor could have been prevailed on to offer them frankly, and immediately upon their first consternation after the conquest of Bavaria. There were great errors in the government of that kingdom : by a long course of oppression and injustice the Hungarians were grown savage and intractable : they saw they were both hated and despised by the Germans. The court of Vienna seemed to consider them as so many enemies, who were to be depressed, in order to their being extirpated ; upon any pretence of plots, their persons were seized on and their estates confiscated. The jesuits were believed to have a great share in all those contrivances and prosecutions ; and it was said, that they purchased the confiscated estates upon very easy terms. The nobility of Hungary seemed irreconcileable to the court of Vienna. On the other hand, those of that court who had these confiscations assigned them, and knew that the restoring these would certainly be insisted on as a necessary article in any treaty that might follow, did all they could to obstruct such a treaty. It was visible that Ragotski, who was at their head, aimed at the principality of Transylvania : and it was natural for the Hungarians to look on his arriving at that dignity, by which he could protect and assist them, as the best security they could have. On the other hand, the court of Vienna, being possessed of that principality, would not easily part with it. In the midst of all this fermentation, a revolution happened in the Turkish empire : a new sultan was set up. So all things were at a stand till it might be

\* Widow of Charles the Second

known what was to be expected from him. They were soon delivered from this anxiety, for he sent a chiasus to the court of Vienna, to assure them that he was resolved to maintain the peace in all points, and that he would give no assistance to the malcontents. The court of Vienna being freed from those apprehensions, resolved to carry on the war in Hungary as vigorously as they could. This was imputed to a secret practice from France on some of that court, and there were so many there concerned in the confiscations, that every proposition that way was powerfully supported. Thus Italy was neglected, and the siege of Landau was ill supported, their chief strength being employed in Hungary. Yet when the ministers of the allies pressed the opening a treaty with the malcontents, the emperor seemed willing to refer the arbitration of that matter to his allies. But though it was fit to speak in that style, yet no such thing was designed. A treaty was opened, but when it was known that Zeiher had the chief management of it, there was no reason to expect any good effect of it. He was born a protestant, a subject of the palatinate, and was often employed by the elector Charles Lewis, to negotiate affairs at the court of Vienna: he, seeing a prospect of rising in that court, changed his religion, and became a creature of the jesuits, and adhered steadily to all their interests. He managed that secret practice with the French in the treaty of Ryswick, by which the protestants of the palatinate suffered so considerable a prejudice. The treaty in Hungary stuck at the preliminaries, for indeed neither side was then inclined to treat: the malcontents were supported from France; they were routed in several engagements, but these were not so considerable as the court of Vienna gave out in their public news. The malcontents suffered much in them, but came soon together again, and they subsisted so well, what by the mines of which they had possessed themselves, what by the incursions they made, and the contributions they raised from the emperor's subjects, that unless the war were carried on more vigorously, or a peace were offered more sincerely, that kingdom was long likely to be a scene of blood and rapine.

So was its neighbouring kingdom of Poland. It was hoped that the talk of a new election was only a loud threatening to force a peace the sooner; but it proved otherwise. A diet was brought together of those who were irreconcileable to king Augustus, and after many delays Stanislaus, one of the palatines, was chosen and proclaimed their king; and he was presently owned by the king of Sweden. The cardinal seemed at first unwilling to agree to this, but he suffered himself to be forced to it: this was believed to be only an artifice of his to excuse himself to the court of France, whose pensioner he was, and to whom he had engaged to carry the election for the prince of Conti. The war went on this year with various success on both sides. King Augustus made a quick march to Warsaw, where he surprised some of Stanislaus's party, he himself escaping narrowly; but the king of Sweden followed so close that, not being able to fight him, he was forced to retreat into Saxony, where he continued for some months. There he ruined his own dominions, by the great preparations he made to return with a mighty force: the delay of that made many forsake his party, for it was given out that he would return no more, and that he was weary of the war, and he had good reason so to be. Poland, in the meanwhile, was in a most miserable condition: the king of Sweden subsisted his army in it, and his temper grew daily more fierce and gothic: he was resolved to make no peace till Augustus was driven out. In the meanwhile his own country suffered much. Livonia was destroyed by the Muscovites: they had taken Narva, and made some progresses into Sweden. The pope espoused the interests of king Augustus; for, to support a new convert of such importance, was thought a point worthy the zeal of that see: so he cited the cardinal to appear at Rome, and to give an account of the share he had in all that war.

The pope was now wholly in the French interest, and maintained the character they pretend to, of a common father, with so much partiality, that the emperor himself, how tame and submissive soever to all the impositions of that see, yet could not bear it, but made loud complaints of it. The pope had threatened that he would thunder out excommunications against all those troops that should continue in his dominions. The emperor was so implicit in his faith, and so ready in his obedience, that he ordered his troops to retire out of the ecclesiastical state; but all the effect that this had was to leave that state entirely in the hands of the French, against whom the pope did not think fit to fulminate; yet the pope

still pretended that he would maintain a neutrality, and both the Venetians and the great duke adhered to him in that resolution, and continued neutral during the war.

Having now given a view of the state of affairs abroad, I return back to prosecute the relation of those at home, and begin with Scotland. A session of parliament was held there this summer. The duke of Queensbury's management of the plot was so liable to exception, that it was not thought fit to employ him; and it seems he had likewise brought himself under the queen's displeasure, for it was proposed by some of his friends in the house of lords, to desire the queen to communicate to them a letter, which he had written to her of such a date. This looked like an examination of the queen herself, to whom it ought to have been left to send what letters she thought fit to the house, and they ought not to call for any one in particular. The matter of that letter made him liable to a very severe censure in Scotland; for in plain words he charged the majority of the parliament as determined in their proceedings by an influence from St. Germains. This exposed him in Scotland to the fury of a parliament; for, how true soever this might be, by the laws of that kingdom, such a representation of a parliament to the queen, especially in matters which could not be proved, was leasing-making, and was capital.

The chief design of the court in this session was to get the succession of the crown to be declared, and a supply to be given for the army, which was run into a great arrear. In the debates of the former session those who opposed every thing, more particularly the declaring the succession, had insisted chiefly on motions to bring their own constitution to such a settlement, that they might suffer no prejudice by their king's living in England. Mr. Johnstoun was now taken in by the ministers into a new management. It was proposed by him, in concert with the marquess of Tweedale and some others in Scotland, that the queen should empower her commissioner to consent to a revival of the whole settlement made by king Charles the First in the year 1641.

By that the king named a privy council and his ministers of state in parliament, who had a power to accept of, or to except to, the nomination, without being bound to give the reason for excepting to it. In the intervals of parliament, the king was to give all employments with the consent of the privy council. This was the main point of that settlement, which was looked on by the wisest men of that time as a full security to all their laws and liberties. It did indeed divest the crown of a great part of the prerogative; and it brought the parliament into some equality with the crown.

The queen, upon the representation made to her by her ministers, offered this as a limitation on the successor, in case they would settle the succession, as England had done; and, for doing this, the marquess of Tweedale was named her commissioner. The queen did also signify her pleasure very positively to all who were employed by her, that she expected they should concur in settling the succession, as they desired the continuance of her favour. Both the duke of Marlborough and the lord Godolphin expressed themselves very fully and positively to the same purpose; yet it was dexterously surmised, and industriously set about by the jacobites, and too easily believed by jealous and cautious people, that the court was not sincere in this matter, and that at best they were indifferent as to the success. Some went further, and said that those who were in a particular confidence at court did secretly oppose it, and entered into a management on design to obstruct it. I could never see any good ground for this suggestion; yet there was matter enough for jealousy to work on, and this was carefully improved by the jacobites, in order to defeat the design. Mr. Johnstoun was made lord register, and was sent down to promote the design. The jacobites were put in hopes, in case of a rupture, to have a considerable force sent to support them from Dunkirk.

A session of parliament being opened, and the speeches made, and the queen's letter read, all which tended to the settling the succession, that was the first debate. A great party was now wrought on, when they understood the security that was to be offered to them: for the wisest patriots in that kingdom had always magnified that constitution, as the best contrived scheme that could be desired: so they went in with great zeal to the accepting of it. But those who in the former session had rejected all the motions of treating with England with some scorn, and had made this their constant topic, that they must in the first

place secure their own constitution at home, and then they might trust the rest to time and to such accidents as time might bring forth ; now, when they saw that every thing that could be desired was offered with relation to their own government, they (being resolved to oppose any declaration of the succession, what terms soever might be granted to obtain it,) turned the argument wholly another way, to show the necessity of a previous treaty with England. They were upon that told that the queen was ready to grant them every thing that was reasonable, with relation to their own constitution, yet without the concurrence of the parliament of England she could grant nothing in which England was concerned ; for they were for demanding a share of the plantation trade, and that their ships might be comprehended within the act of navigation.

After a long debate the main question was put, whether they should then enter upon the consideration of the limitations of the government, in order to the fixing the succession of the crown, or if that should be postponed till they had obtained such a security, by a treaty with England, as they should judge necessary. It was carried, by a majority of forty, to begin with a treaty with England : of these, about thirty were in immediate dependence on the court, and were determined according to the directions given them. So, notwithstanding a long and idle speech of the earl of Cromarty's, which was printed, running into a distinction among divines, between the revealed and secret will of God, showing that no such distinction could be applied to the queen ; she had but one will, and that was revealed ; yet it was still suspected that at least her ministers had a secret will in the case. They went no further in this vote for a treaty with England, for they could not agree among themselves who should be the commissioners ; and those who opposed the declaring the succession, were concerned for no more when that question was once set aside. So it was postponed, as a matter about which they took no further care.

They offered to the court six months' cess, for the pay of the army ; but they tacked to this a great part of a bill which passed the former session of parliament, but was refused by the throne. By that it was provided, that if the queen should die without issue, a parliament should presently meet, and they were to declare the successor to the crown, who should not be the same person that was possessed of the crown of England, unless before that time there should be a settlement made in parliament, of the rights and liberties of the nation independent on English councils. By another clause in the act, it was made lawful to arm the subjects, and to train them, and put them in a posture of defence. This was chiefly pressed in behalf of the best affected in the kingdom, who were not armed ; for the Highlanders, who were the worst affected, were well armed : so, to balance that, it was moved that leave should be given to arm the rest. All was carried with great heat and much vehemence ; for a national humour, of being independent on England, fermented so strongly among all sorts of people without doors, that those who went not into every hot motion that was made, were looked on as the betrayers of their country ; and they were so exposed to a popular fury, that some of those who studied to stop this tide were thought to be in danger of their lives. The presbyterians were so overawed with this, that, though they wished well to the settling the succession, they durst not openly declare it. The dukes of Hamilton and Athol led all those violent motions, and the whole nation was strangely inflamed.

The ministers were put to a great difficulty with the supply bill, and the tack that was joined to it. If it was denied the army could be no longer kept up : they had run so far in arrear, that, considering the poverty of the country, that could not be carried on much longer. Some suggested that it should be proposed to the English ministry, to advance the subsistence money, till better measures could be taken ; but none of the Scotch ministry would consent to that. An army is reckoned to belong to those who pay it : so an army paid from England would be called an English army : nor was it possible to manage such a thing secretly. It was well known that there was no money in the Scotch treasury to pay them, so if money were once brought into the treasury, how secretly soever, all men must conclude that it came from England : and men's minds were then so full of the conceit of independency, that if a suspicion arose of any such practice, probably it would have occasioned tumults. Even the army was so kindled with this, that it was believed that neither

officers nor soldiers would have taken their pay, if they had believed it came from England. It came then to this, that either the army must be disbanded, or the bill must pass. It is true, the army was a very small one, not above three thousand ; but it was so ordered, that it was double or treble officered ; so that it could have been easily increased to a much greater number, if there had been occasion for it. The officers had served long, and were men of a good character. So, since they were alarmed with an invasion, which both sides looked for, and the intelligence which the court had from France assured them it was intended ; they thought the inconveniences arising from the tack might be remedied afterwards. But the breaking of the army was such a pernicious thing, and might end so fatally, that it was not to be ventured on. Therefore, by common consent, a letter was written to the queen, which was signed by all the ministers there, in which they laid the whole matter before her, every thing was stated and balanced ; all concluded in an humble advice to pass the bill. This was very heavy on the lord Godolphin, on whose advice the queen chiefly relied. He saw the ill consequences of breaking the army and laying that kingdom open to an invasion, would fall on him if he should, in contradiction to the advice given by the ministry of Scotland, have advised the queen to reject the bill. This was under consultation in the end of July, when our matters abroad were yet in a great uncertainty ; for though the victory at Schelleberg was a good step, yet the great decision was not then come. So he thought, considering the state of affairs, and the accidents that might happen, that it was the safest thing for the queen to comply with the advices of those to whom she trusted the affairs of that kingdom.

The queen sent orders to pass the bill. It passed on the 6th of August, after the great battle was over, but several days before the news of it came to us. When the act passed, copies of it were sent to England, where it was soon printed by those who were uneasy at the lord Godolphin's holding the white staff, and resolved to make use of this against him, for the whole blame of passing it was cast on him. It was not possible to prove that he had advised the queen to it : so some took it by another handle, and resolved to urge it against him, that he had not persuaded the queen to reject it : though that seemed a great stretch, for he being a stranger to that kingdom, it might have been liable to more objection, if he had presumed to advise the queen to refuse a bill, passed in the parliament of Scotland, which all the ministry there advised her to pass.

Severe censures passed on this. It was said, that the two kingdoms were now divided by law, and that the Scotch were putting themselves in a posture to defend it ; and all saw by whose advices this was done. One thing, that contributed to keep up an ill humour in the parliament of Scotland, was more justly imputed to him. The queen had promised to send down to them all the examinations relating to the plot : if these had been sent down, probably in the first heat the matter might have been carried far against the duke of Queensbury. But he, who staid all the while at London, got it to be represented to the queen, that the sending down these examinations, with the persons concerned in them, would run the session into so much heat, and into such a length, that it would divert them quite from considering the succession, and it might produce a tragical scene. Upon these suggestions, the queen altered her resolution of sending them down ; though repeated applications were made to her, both by the parliament and by her ministers, to have them sent ; yet no answer was made to these, nor was so much as an excuse made for not sending them. The duke of Queensbury, having gained this point, got all his friends to join with the party that opposed the new ministry. This both defeated all their projects and softened the spirits of those who were so set against him, that, in their first fury, no stop could have been put to their proceedings. But now the party that had designed to ruin him was so much wrought on by the assistance that his friends gave them in this session, that they resolved to preserve him.

This was the state of that nation, which was aggravated very odiously all England over. It was confidently, though, as was afterwards known, very falsely, reported, that great quantities of arms were brought over and dispersed through the whole kingdom : and it being well known how poor the nation was at that time, it was said, that those arms were paid for by other hands, in imitation of what it was believed cardinal Richelieu did in the

year 1638. Another thing was given out very maliciously by the lord treasurers' enemies, that he had given directions under hand to hinder the declaring the succession, and that the secret of this was trusted to Johnstoun, who, they said, talked openly one way, and acted secretly another; though I could never see a colour of truth in those reports. Great use was to be made of the affairs of Scotland, because there was no ground of complaint of any thing in the administration at home. All the duke of Marlborough's enemies saw his chief strength lay in the credit that the lord Godolphin was in at home, while he was so successful abroad. So, it being impossible to attack him in such a course of glory, they laid their aims against the lord treasurer. The tories resolved to attack him, and that disposed the whigs to preserve him: and this was so managed by them, that it gave a great turn to all our councils at home.

In the beginning of November, the session of parliament was opened. It might well be expected that, after such a summer, the addresses of both houses would run in a very high strain. The house of commons, in their address, put the successes by sea and land on a level, and magnified both in the same expressions; but the house of lords, in their address, took no notice of Rook, nor of the sea. The lower house of convocation were resolved to follow the example of the house of commons, and would have the sea and land both mentioned in the same terms; but the bishops would not vary from the pattern set them by the house of lords: so no address was made by the convocation. The commons agreed to every thing that the court proposed for supporting the war another year: this was carried through with great dispatch and unanimity. So that the main business of the session was soon over: all the money bills were prepared and carried on in the regular method without any obstruction. Those who intended to embroil matters saw it was not advisable to act above board, but to proceed more covertly.

The act against occasional conformity was again brought in, but moderated in several clauses; for those who pressed it were now resolved to bring the terms as low as was possible, in order once to carry a bill upon that head. The opposition in the house of commons made to it was become so considerable (for the design was now more clearly discerned), that it was carried in that house only by a majority of fifty. When the bill was to be committed, it was moved that it should be committed to the same committee which was preparing the bill for the land-tax. The design of this was, that the one should be tacked to the other, and then the lords would have been put under a great difficulty. If they should untack the bill, and separate one from the other, then the house of commons would have insisted on a maxim that was now settled among them, as a fundamental principle never to be departed from, that the lords cannot alter a money bill, but must either pass it or reject it, as it is sent to them. On the other hand, the lords could not agree to any such tack, without departing from that solemn resolution which was in their books, signed by most of them, never to admit of a tack to a money bill. If they yielded now, they taught the house of commons the way to impose any thing on them at their pleasure.

The party in the house of commons put their whole strength to the carrying this point: they went further in their design. That which was truly aimed at, by those in the secret, was to break the war and to force a peace. They knew a bill with this tack could not pass in the house of peers. Some lords of their party told myself that they would never pass the bill with this tack, so by this means money would be stopped. This would put all matters in great confusion both at home and abroad, and dispose our allies, as despairing of any help from us, to accept of such terms as France would offer them. So here was an artful design formed to break, at least to shake, the whole alliance. The court was very apprehensive of this, and the lord Godolphin opposed it with much zeal. The party disowned the design for some time, until they had brought up their whole strength, and thought they were sure of a majority.

The debate held long. Those who opposed it said, this now aimed at was a change of the whole constitution, and was in effect turning it into a commonwealth; for it imported the denying, not only to the lords, but to the crown, the free use of their negative in the legislature. If this was once settled, then, as often as the public occasions made a money bill necessary, every thing that the majority in their house had a mind to would be tacked

to it. It is true some tacks had been made to money bills in king Charles's time ; but even these had still some relation to the money that was given. But here a bill, whose operation was only for one year, and which determined as soon as the four shillings in the pound was paid, was to have a perpetual law tacked to it, that must continue still in force after the greatest part of the act was expired and dead. To all this, in answer, some precedents were opposed, and the necessity of the bill for the preservation of the church was urged, which they saw was not likely to pass, unless sent to the lords so accompanied ; which some thought was very wittingly pressed, by calling it a portion annexed to the church, as in a marriage ; and they said they did not doubt but those of the court would bestir themselves to get it passed, when it was accompanied with two millions as its price.

Upon the division, one hundred and thirty-four were for the tack, and two hundred and fifty were against it : so that design was lost by those who had built all their hopes upon it, and were now highly offended with some of their own party, who had by their opposition wrought themselves into good places, and forsook that interest to which they owed their advancement : these, to redeem themselves with their old friends, seemed still zealous for the bill, which after went on coldly and slowly in the house of commons, for they lost all hopes of carrying it in the house of lords, now that the mine they had laid was sprung.

While this was going on in the house of commons, the debate about the Scotch act was taken up with great heat in the house of lords. The ill effects that were likely to follow upon it were opened in very tragical strains : it was, after much declaiming, moved that the lords might pass some votes upon it. The tories who pressed this, intended to add a severe vote against all those who had advised it ; and it was visible at whom this was aimed. The whigs diverted this : they said, the putting a vote against an act passed in Scotland looked like the claiming some superiority over them, which seemed very improper at that time, since that kingdom was possessed with a national jealousy on this head, that would be much increased by such a proceeding. More moderate methods were therefore proposed and agreed to, in order to the making up of a breach in this island, with which they seemed to be then threatened. So an act was brought in, empowering the queen to name commissioners, to treat of a full union of both kingdoms, as soon as the parliament of Scotland should pass an act to the same purpose. But if no such union should be agreed on, or if the same succession to the crown, with that of England, should not be enacted by a day prefixed, then it was enacted, that after that day no Scotchman, that was not resident in England or in Ireland, or employed in the queen's service by sea or land, should be esteemed a natural-born subject of England : they added to this a prohibition of the importation of Scotch cattle, and the manufactures of Scotland. All this fell in the house of commons, when sent down to them, because of the money-penalties, which were put in the several clauses of the bill. The commons were resolved to adhere to a notion, that had now taken such root among them that it could not be shaken, that the lords could not put any such clause in a bill begun with them. This was wholly new : penalties upon transgressions could not be construed to be a giving of money. The lords were clearly in possession of proceeding thus : so that the calling it in question was an attempt on the share which the lords had in the legislature. The commons let this bill lie on the table, and began a new one to the same purpose : it passed ; and the following Christmas was the day prefixed for the Scotch to enact the succession, or, on failure thereof, then this act was to have its effect. A great coldness appeared in many of the commons, who used to be hot on less important occasions : they seemed not to desire that the Scotch should settle the succession ; and it was visible that some of them hoped that the lords would have used their bill as they had used that sent down by the lords. Many of them were less concerned in the fate of the bill, because it diverted the censure which they had intended to fix on the lord treasurer. The lords were aware of this, and passed the bill.

Those who wished well to the union were afraid that the prohibition, and the declaring the Scots aliens after the day prefixed, would be looked on as threatenings. And they saw cause to apprehend that ill-tempered men in that kingdom would use this as a handle to divert that nation, which was already much soured, from hearkening to any motion that might tend to promote the union or the declaring the succession. It was given out by these,

that this was an indignity done their kingdom, and that they ought not so much as to treat with a nation that threatened them in such a manner. The marquis of Tweedale excused himself from serving longer: so the duke of Argyle, whose father was lately dead, was named to be sent down commissioner, to hold a parliament in Scotland. He was then very young, and was very brave.

This being dispatched easier than was expected, the parliament went on to other business. Complaints of an ill management, both at the board of the prince's council and at sea, rose very high. This house of commons, during the whole continuance of the parliament, never appointed a committee to look into those matters which had been formerly a main part of their care. They saw things were ill conducted, but the chief managers of sea affairs were men of their party, and that atoned for all faults, and made them unwilling to find them out, or to censure them. The truth was, the prince was prevailed on to continue still in the admiralty, by those who sheltered themselves under his name: though this brought a great load on the government. The lords went on as they had done the former session, examining into all complaints. They named two committees, the one to examine the books of the admiralty, the other to consider the proceedings at sea. No progress was made in the first of these; for though there was a great deal suggested in private, yet, since this seemed to be complaining of the prince, none would appear directly against him; but the other afforded matter enough both for enquiry and censure: the most important, and that which had the worst consequences, was, that though there were twenty-two ships appointed for cruising, yet they had followed that service so remissly, and the orders sent them were so languid and so little urgent, that three diligent cruising ships could have performed all the services done by that numerous fleet. This was made out in a scheme, in which all the days of their being out at sea were reckoned up, which did not exceed what three cruisers might have performed. It did not appear whether this was only the effect of sloth or ignorance, or if there lay any designed treachery at bottom. It seemed very plain that there was treachery somewhere, at least among the under-officers; for, a French privateer being taken, they found among his papers instructions sent him by his owners, in which he was directed to lie in some stations, and to avoid others: and it happened that this agreed so exactly with the orders sent from the admiralty, that it seemed that could not be by chance, but that the directions were sent upon sight of the orders. The queen began this winter to come to the house of lords upon great occasions to hear their debates, which, as it was of good use for her better information, so it was very serviceable in bringing the house into better order. The first time she came was when the debate was taken up concerning the Scotch act. She knew the lord treasurer was aimed at by it, and she diverted the storm by her endeavours, as well as she restrained it by her presence.

She came likewise thither to hear the debates upon the bill against occasional conformity, which was sent up by the commons; if it had not been for the queen's being present, there would have been no long debate on that head, for it was scarcely possible to say much that had not been formerly said: but to give the queen full information, since it was supposed that she had heard that matter only on one side, it was resolved to open the whole matter in her hearing: the topics most insisted on were, the quiet that we enjoyed by the toleration, on which head the severities of former reigns were laid open, both in their injustice, cruelty, and their being managed only to advance popery, and other bad designs; the peaceable behaviour of the dissenters, and the zeal they expressed for the queen, and her government, was also copiously set forth; while others showed a malignity to it. That which was chiefly urged was, that every new law made in the matter, altered the state of things from what it was when the act for toleration first passed; this gave the dissenters an alarm, they might from thence justly conclude, that one step would be made after another, until the whole effect of that act should be overturned. It did not appear from the behaviour of any among them, that they were not contented with the toleration they enjoyed, or that they were carrying on designs against the church; in that case it might be reasonable to look for a farther security, but nothing tending that way was so much as pretended; all went on jealousies and fears, the common topics of sedition. On the other hand, to support the bill, old stories were brought up to show how restless and unquiet that sort of men had been in







Engraved by S. Freeman.

JOHN CAMPBELL, DUKE OF ARGYLL & GREENWICH.

OB. 1745.

FROM THE ORIGINAL OF KNEELER, IN THE COLLECTION OF

THE HON. GEORGE AGAR-ELLIS.



former times. When it came to the question, whether the bill should be read a second time, or not, it went for the negative by a majority of twenty lords.

Another debate, that brought the queen to the house, was concerning Watson, late lord bishop of St. David's: his business had been kept long on foot in the courts below by all the methods of delay that lawyers could invent; after five years' pleading, the concluding judgment was given in the exchequer, that he had no right to the temporalities of that bishopric; and that being affirmed in the exchequer-chamber, it was now by a writ of error, brought before the lords, in the last resort; but as the house seemed now to be set, he had no mind to let it go to a final decision; so he delayed the assigning the errors of the judgment until the days were lapsed in which, according to a standing order, errors ought to be assigned upon a writ of error; in default of which the record was to be sent back. He suffered the time to lapse, though particular notice was ordered to be given him, on the last day in which, according to the standing order, he might have assigned his errors; and the house sat that day some hours on purpose waiting for it. Some weeks after that, when the session was so near an end that he thought his cause could not be heard during the session, and so must in course have been put off to another session, he petitioned for leave to assign his errors; this was one of the most solemn orders that related to the judicature of the lords, and had been the most constantly stood to: it was not therefore thought reasonable to break through it, in favour of so bad a man, of whom they were all ashamed, if parties could have any shame; he had affected, in every step he had made, to seek out all possible delays for keeping the see still void, which by reason of a bad bishop and a long vacancy, was fallen into great disorder; yet after all this, he had still by law the benefit of a writ of error, which he might bring in any subsequent session of parliament.

Upon this the queen resolved to fill that see; and she promoted to it the celebrated Dr. Bull, who had written the most learned treatise that this age had produced, of the doctrine of the primitive church concerning the Trinity; this had been so well received all Europe over, that in an assembly general of the clergy of France, the bishop of Meaux was desired to write over to a correspondent he had in London, that they had such a sense of the service he had done their common faith, that upon it they sent him their particular thanks; I read the letter, and so I can deliver it for a certain truth, how uncommon soever it may seem to be\*. The queen had a little before this promoted Dr. Beveridge to the see of St. Asaph, who had showed himself very learned in ecclesiastical knowledge. They were both pious and devout men, but were now declining; both of them being old, and not likely to hold out long †. Soon after this the see of Lincoln became vacant by that bishop's death: Dr. Wake was after some time promoted to it: a man eminently learned, an excellent writer, a good preacher, and, which is above all, a man of an exemplary life ‡.

\* In the church of Brecknock is this inscription: "Here lieth the right reverend father in God, Dr. George Bull, late bishop of this diocese; who was excellently learned, pious, and charitable; and who departed this life February the 17th, 1705, aged seventy-five." Dr. Bull, born at Wells, in Somersetshire, losing his parents whilst a child, devoted to the care of a sister much his senior. Submitting to the drudgery of instructing infancy, and nobly resolving to fulfil the duty devolved upon her, she fully supplied the place of a mother to the orphan boy. Her guardianship did not cease with infancy, for when at Exeter college, Oxford, and afterwards, he was guilty of several indiscretions, she lured him back to virtue and learning, gardens of pure delight, whose produce is thornless. From these he never strayed again. That Dr. Bull was a good man, we have the testimony that the excellent Mr. Nelson was his friend and biographer. Of his ecclesiastical learning, we have the testimony of the foreign divines, mentioned in the text. The work there alluded to was his "Doctrine of the Primitive Church concerning the Trinity." "Few have exceeded Dr. Bull in the performance of the duties of his profession, from the plain parish priest to the prelate." In his place as a peer of parliament he conducted himself with becoming calmness

and firmness. He was always ready to maintain the character of our church; supported the union with Scotland, and every liberal measure that was proposed. He had one maxim to guide him as a statesman, worthy of his integrity—"I am apt to think," he said, "that *justice* is a better rule than *convenience*."—Nelson's Life of Dr. Bull, prefixed to his works; Wood's *Athenæ Oxon.*; Biog. Britannica; Noble's Contin. of Grainger.

† Dr. William Beveridge, who has been styled "the great reviver and restorer of primitive piety," was born at Barrow, in Leicestershire, in 1638. His learning was made publicly known at an early period of his life, and continued, as well as his Christian practice, to characterize him throughout his career. He died bishop of St. Asaph, in 1708, and one of his episcopal brethren remarked as Beveridge's eyes were closing—"There goes one of the greatest, and one of the best men that ever England bred."—Biog. Britannica; Noble's Contin. of Grainger.

‡ Dr. William Wake was descended from one of the most ancient families of our gentry; a family distinguished for its courage and loyalty. His father, with hoyish heroism, suffered the punishment that ought to have been inflicted upon his friend Nicholls, and this in after-life was more than repaid. Nicholls had risen to a judgeship, in the

A design was formed in this session of parliament, but there was not strength enough to carry it on at this time, the earl of Rochester gave a hint of it in the house of lords, by saying that he had a motion of great consequence to the security of the nation, which he would not make at this time, but would do it when next they should meet together. He said no more to the house, but in private discourse he owned it was for bringing over the electress of Hanover to live in England; upon this I will digress a little, to open the design and the views, which he, and some others, might have in this motion.

It seemed not natural to believe that a party, which had been all along backward at best, and cold in every step that was made in settling the succession in that family, should become all on the sudden such converts as to be zealous for it; so it was not an unreasonable jealousy to suspect that somewhat lay hid under it: it was thought that they either knew, or did apprehend, that this would not be acceptable to the queen; and they, being highly displeased with the measures she took, went into this design both to vex her, and in hopes that a faction might arise out of it, which might breed a distraction in our councils, and some of them might hope thereby to revive the prince of Wales's pretensions. They reckoned such a motion would be popular; and if either the court or the whigs, on whom the court was now beginning to look more favourably, should oppose it, this would cast a load on them as men, who after all the zeal they had expressed for that succession, did now, upon the hopes of favour at court, throw it up; and those who had been hitherto considered as the enemies of that house, might hope by this motion to overcome all the prejudices that the nation had taken up against them; and they might create a merit to themselves in the minds of that family, by this early zeal, which they resolved now to express for it.

This was set on foot among all the party; but the more sincere among them could not be prevailed on to act so false a part, though they were told this was the likeliest way to advance the pretended prince of Wales's interests.

I now come to give an account of the last business of this session, with which the parliament ended: it was formerly told what proceedings had been at law upon the election at Aylesbury; the judgment that the lords gave in that matter was executed, and upon that five others of the inhabitants brought their actions against the constables upon the same grounds. The house of commons looked on this as a great contempt of their votes, and they voted this a breach of privilege, to which they added a new, and until then unheard-of crime, that it was contrary to the declaration that they had made; upon that they sent their messenger for these five men, and committed them to Newgate, where they lay three months prisoners: they were all the while well supplied, and much visited; so they lay without making any application to the house of commons: it was not thought advisable to move in such a matter until all the money-bills were passed; then motions were made in the interval between the terms, upon the statute for a *habeas corpus*; but the statute relating only to commitments by the royal authority, this did not lie within it.

When the term came, a motion was made in the queen's bench upon the common-law, in behalf of the prisoners for a *habeas corpus*; the lawyers who moved it produced the commitment, in which their offence was set forth, that they had claimed the benefit of the law in opposition to a vote of the house of commons to the contrary; they said the subjects were governed by the laws, which they might, and were bound to know, and not by the votes of a house of parliament, which they were neither bound to know, nor to obey; three of the judges were of opinion, that the court could take no cognizance of that matter; the chief justice was of another mind; he thought a general warrant of commitment for breach of privilege was of the nature of an execution; and since the ground of the commitment was specified in the warrant, he thought it plainly appeared that the prisoners had been guilty

time of the protectorate, and Mr. Wake was tried before him and condemned for disaffection to the existing government, but the judge did not rest until he obtained the prisoner's pardon from Cromwell. This is told in the 383rd number of the *Spectator*; but the names, there omitted, are mentioned by Dr. Grey, in his edition of *Hudibras*. Dr. Wake was a native of Blandford, and born in 1657. He was a talented controversialist, and made

many effective passes of the pen at Bossuet, Atterbury, and others. One of his most admirable, though misrepresented efforts, was the union of the Gallican and English churches. He died in 1737, archbishop of Canterbury, to which metropolitical see he had been advanced in 1715.—*Biog. Britannica*; Noble's *Contin. of Grainger*.

of no legal offence, and that therefore they ought to be discharged ; he was but one against three, so the prisoners were remanded.

Upon that they moved for a writ of error, to bring the matter before the lords ; that was only to be come at by petitioning the queen to order it : the commons were alarmed at this, and made an address to the queen, setting forth, that they had passed all the money-bills, therefore they hoped her majesty would not grant this. Ten judges agreed, that in civil matters a petition for a writ of error was a petition of right, and not of grace ; two of them only were of another mind ; it was therefore thought a very strange thing which might have most pernicious consequences, for a house of commons to desire the queen not to grant a petition of right, which was plainly a breach of law and of her coronation oath ; they also took on them to affirm, that the writ did not lie ; though that was clearly the work of the judicature to declare, whether it lay or not, and that was unquestionably the right of the lords ; they only could determine that ; the supplying the public occasions was a strange consideration to be offered the queen, as an argument to persuade her to act against law ; as if they had pretended that they had bribed her to infringe the law, and to deny justice ; money given for public service was given to the country, and to themselves, as properly as to the queen.

The queen answered their address, and in it said, that the stopping proceedings at law, was a matter of such consequence, that she must consider well of it ; this was thought so cold, that they returned her no thanks for it ; though a well-composed house of commons would certainly have thanked her for that tender regard to law and justice. The house of commons carried their anger farther ; they ordered the prisoners to be taken out of Newgate, and to be kept by their serjeant ; they also ordered the lawyers and the solicitors to be taken into custody, for appearing in behalf of the prisoners ; these were such strange and unheard-of proceedings, that by them the minds of all people were much alienated from the house of commons. But the prisoners were under such management, and so well supported, that they would not submit nor ask pardon of the house ; it was generally believed, that they were supplied and managed by the lord Wharton ; they petitioned the house of lords for relief ; and the lords resolved to proceed in the matter by sure and regular steps ; they first came to some general resolutions, that neither house of parliament could assume or create any new privilege that they had not been formerly possessed of ; that subjects claiming their rights in a course of law, against those who had no privilege, could not be a breach of privilege of either house ; that the imprisoning the men of Aylesbury for acting contrary to a declaration made by the house of commons, was against law ; that the committing their friends and their counsel for assisting them, in order to the procuring their liberty in a legal way, was contrary to law ; and that the writ of error could not be denied without breaking the magna charta and the laws of England. These resolutions were communicated to the house of commons at a conference.

They made a long answer to them : in it they set forth, that the right of determining elections was lodged only with them, and that therefore they only could judge who had a right to elect ; they only were the judges of their own privileges, the lords could not intermeddle in it ; they quoted very copiously the proceedings in the year 1675, upon an appeal brought against a member of their house ; they said their prisoners ought only to apply themselves to them for their liberty ; and that no motion had ever been made for a writ of error in such a case. Upon this second conference according to form, the matter was brought to a free conference, where the point was fully argued on both sides ; the city and the body of the nation were on the lords' side in the matter. Upon this the lords drew up a full representation of the whole thing, and laid it before the queen, with an earnest prayer to her majesty, to give order for the writ of error ; this was thought so well drawn, that some preferred it to those of the former sessions ; it contained a long and clear deduction of the whole affair, with great decency of style, but with many heavy reflections on the house of commons.

By this time the whole business of the session was brought to a conclusion ; for the lords, who had the money-bills, would not pass them, until this was ended : they carried their representation to the queen, who in answer to it told them, that she would have granted the writ of error, but she saw it was necessary to put a present conclusion to the session. This

being reported to the house, was looked on by them as a clear decision in their favour; therefore they ordered their humble thanks to be immediately returned to her majesty for it: an hour after that the queen came to the house of lords, and passed all the bills, and ended the session with a speech full of thanks for the supplies so readily granted; she took notice with regret of the effects of the ill humour and animosity that had appeared; and spoke of the narrow escape we had made, which she hoped would teach all persons to avoid such dangerous experiments for the future; this was universally understood to be meant of the tack, as indeed it could be meant of nothing else.

Thus this session, and with it this parliament came to an end; it was no small blessing to the queen, and to the nation, that they got well out of such hands; they had discovered, on many occasions, and very manifestly, what lay at bottom with most of them; but they had not skill enough to know how to manage their advantages, and to make use of their numbers; the constant successes with which God had blessed the queen's reign, put it out of their power to compass that which was aimed at by them; the forcing a peace, and of consequence the delivering all up to France. Sir Christopher Musgrave, the wisest man of the party, died before the last session; and by their conduct after his death, it appeared, that they wanted his direction; he had been at the head of the opposition that was made in the last reign from the beginning to the end: but he gave up many points of great importance in the critical minute, for which I had good reason to believe, that he had twelve thousand pounds from the late king, at different times: at his death it appeared, that he was much richer than by any visible computation he could be valued at; which made some cast an imputation on his memory, as if he had received great sums even from France \*.

I shall conclude the relation of this parliament with an account of some things that were begun, but not perfected by them; there was a bill offered for the naturalization of some hundreds of Frenchmen, to which the commons added a clause, disabling the persons so naturalized from voting in elections of parliament; the true reason of this was, because it was observed that the French among us gave in all elections their votes for those who were most zealous against France; and yet, with an apparent disingenuity, some gave it as a reason for such a clause, that they must be supposed so partial to the interests of their own country, that it was not fit to give them any share in our government. The lords looked on this as a new attempt, and the clause added was a plain contradiction to the body of the bill, which gave them all the rights of natural-born subjects; and this took from them the chief of them all, the choosing their representatives in parliament; they would not agree to it, and the commons resolved not to depart from it; so without coming to a free conference, the bill fell with the session.

Another bill was begun by the lords against the papists: it was occasioned by several complaints brought from many parts of the kingdom, chiefly from Cheshire, of the practices and insolence of those of that religion: so a bill was ordered to be brought in, with clauses in it, that would have made the act, passed against them four years before, prove effectual, which for want of these has hitherto been of no effect at all; this passed in the house of lords, and was sent to the commons. They had no mind to pass it; but to avoid the ill effects of their refusing such a bill, they added a clause to it, containing severe penalties on papists who should once take the oaths, and come into the communion of our church, if they should be guilty of any occasional conformity with popery afterwards: they fancied that this of occasional conformity was so odious to the lords, that every clause that condemned it would be rejected by them; but when they came to understand that the lords were resolved to agree to the clause, they would not put it to that hazard; so the bill lay on their table, and slept until the prorogation.

A general self-denying bill was offered in the house of commons by those very men, who

\* Sir Christopher Musgrave, of Hartley, in Westmoreland, was, whilst a young man, very active in the cause of the Stuarts. For this he was imprisoned and otherwise suffered during the protectorate, having engaged in Sir George Booth's attempt to restore the ex-king. After the restoration he obtained the appointment of a captain of the guard, was knighted, made governor of

Carlisle, and lieutenant-general of the ordnance. In the first year of Anne, he had the office of one of the four tellers of the exchequer. "He always demonstrated himself a loyal subject, an able statesman, and singular patriot to his country." He died in June, 1704, a. n. was buried in a chapel of the Minories in London.—Collins's Baronetage.

in the first session of parliament, when they hoped for places themselves, had opposed the motion of such a bill with great indignation ; now the scene was a little altered, they saw they were not likely to be favourites, so they pretended to be patriots. This looked so strangely in them, that it was rejected ; but another bill of a more restrained nature passed, disabling some officers, particularly those that were concerned in the prize-office, from serving in parliament ; to this a general clause was added, that disabled all who held any office that had been created since the year 1684, or any office that should be created for the future, from sitting in parliament ; this passed among them, and was sent to the lords ; who did no think fit to agree to so general a clause, but consented to a particular disability, put on some offices by name : the commons did not agree to this alteration, they would have all, or nothing, so the bill fell.

The conclusion of the parliament set the whole nation in a general ferment ; both sides studied how to dispose people's minds in the new elections, with great industry and zeal : all people looked on the affairs of France as reduced to such a state, that the war could not run beyond the period of the next parliament ; a well-chosen one must prove a public blessing, not only to England, but to all Europe ; as a bad one would be fatal to us at home, as well as to our allies abroad : the affairs of France were run very low ; all methods of raising money were now exhausted, and could afford no great supplies ; so, in imitation of our exchequer-bills, they began to give out mint-bills ; but they could not create that confidence which is justly put in parliamentary credit. The French had hopes from their party here in England, and there was a disjoining in the several provinces of the United Netherlands ; but as long as we were firm and united, we had a great influence on the States, at least to keep things entire during the war ; so it was visible that a good election in England, must give such a prospect for three years as would have a great influence on all the affairs of Europe.

I must, before I end the relation of the parliament, say somewhat of the convocation that attended upon it, though it was then so little considered, that scarcely any notice was taken of them, and they deserved that no mention should be made of them. The lower house continued to proceed with much indecent violence : they still held their intermediate sessions, and brought up injurious and reflecting addresses to the upper house, which gave a very large exercise to the patience, and forbearance, of the archbishop and bishops : the archbishop, after he had borne long with their perverseness, and saw no good effect of it, proceeded to an ecclesiastical monition against their intermediate meetings ; this put a stop to that, for they would not venture on the censures that must in course follow, if no regard was had to the monition. At the final prorogation, the archbishop dismissed them with a wise, well-composed speech ; he laid open to them their indecent behaviour, and the many wrong steps they had made ; to this he added a severe, but grave reprimand, with much good advice. The governing men among them were headstrong and factious, and designed to force themselves into preferments, by the noise they made, and by the ill humour that they endeavoured to spread among the clergy, who were generally soured, even with relation to the queen herself, beyond what could be imagined possible.

Now having given a full relation of our counsels and other affairs at home, I shall next consider the progress of those abroad. The first operation of the campaign was before Gibraltar : Leak was sailing from Lisbon thither, and as he went out he met Dilks, who was sent from England to increase his force ; by this addition he had a strong fleet of thirty men of war, so he held on his course with all expedition, hoping to find Pointy in the bay of Gibraltar ; but a great storm had blown all, but five ships, up the Mediterranean. Pointy remained only with these, when he was surprised by Leak, who did quickly overpower him, and took three capital ships ; the other two, that were the greatest of them, were run ashore, and burnt near Marbella. Leak sailed to the Levant, to see if he could overtake those ships, that the wind had driven from the rest ; but after a fruitless pursuit for some days, he returned back to Gibraltar : that garrison was now so well supplied, that the Spaniards lost all hopes of being able to take it ; so they raised the siege, turning it into a very feeble blockade. This advantage came at the same time that Verne was lost, to balance it.

Now the campaign was to be opened, the duke of Marlborough designed that the Moselle

should be the scene of action, and care had been taken to lay up magazines of all sorts in Triers: the States consented that he should carry the greatest part of their army to the Moselle, and resolved to lie on the defensive upon their own frontiers; for they reckoned that how strong soever the elector of Bavaria's army was at that time, yet whensoever France should be pressed, with so great a force as they reckoned would be on the Moselle, he would be ordered to send such detachments thither, that his army would be quickly diminished, and so would not have the superior strength long. Prince Lewis of Baden seemed to like this scheme of the campaign so well, and had concurred so cordially in the concert of it, during the winter, that no doubt was made of his being both able and willing to enter upon this new scene of the war: but as the duke of Marlborough was setting out, depending on his concurrence, he received an express from him, excusing himself both on his own want of health, and because the force he had about him was not considerable, nor was that which he expected likely to come to him so soon as might be wished for. This could not stop the duke of Marlborough, who had set his heart on opening the campaign in those parts, and had great hopes of success; so he resolved to push the matter as far as he could. He went to the prince of Baden to concert matters with him, whose ill health seemed only to be a pretence: it was true that the princes, and circles, of the empire had not sent in their quotas, but it appeared that there was already strength enough, in conjunction with the army, that the duke of Marlborough was to bring, to advance, and open the campaign with great advantage, at least until detachments should come from other parts: the prince of Baden at last consented to this, and promised to follow with all the forces he could bring.

The duke of Marlborough was so satisfied with these assurances, that he came back to his army, and quickened their march, so that he brought them to Triers; and he advanced eight leagues further, through so many defiles, that the French might easily have made his march both dangerous and difficult. He posted himself very near mareschal Villars's camp, not doubting but that the prince of Baden would quickly follow him; instead of that, he repeated his former excuse of want of health and force. That which gave the worst suspicions of him was, that it appeared plainly that the French knew what he intended to do, and their management showed they depended on it; for they ordered no detachments to increase M. Villars's army; on the contrary, the elector of Bavaria, having the superior force, pressed the States on their frontier. Huy was besieged and taken, after it had beyond all expectation held out ten days: Liege was attacked next; the town was taken, but the citadel held out. Upon this, the States sent to the duke of Marlborough to march back with all possible haste; he had then eat up the forage round about him, and was out of all hope of the prince of Baden's coming to join him; so he saw the necessity of marching back, after he had lost some weeks in a fruitless attempt: he made such haste in his march, that he lost many of his men in the way, by fatigue, and desertion; the French gave him no trouble, neither while he lay so near their camp, nor when he drew off, to march away with so much haste. To complete the ill conduct of the Germans, those who were left with the magazines at Triers, pretending danger, destroyed them all, and abandoning Triers, retired back to the Rhine.

The prince of Baden's conduct through this whole matter was liable to great censure; the worst suspicion was, that he was corrupted by the French. Those who did not carry their censure so far, attributed his acting as he did to his pride, and thought he, envying the duke of Marlborough, and apprehending that the whole glory of the campaign would be ascribed to him, since he had the stronger army, chose rather to defeat the whole design, than see another carry away the chief honour of any successes that might have happened. The duke of Marlborough came back in good time to raise the siege of the citadel of Liege; and he retook Huy in three days: after that, in conjunction with the Dutch army, he advanced towards the French lines; he for some days amused them with feints; at last he made the attack, where he had designed it, and broke through the lines, and gave a great defeat to the body of the French that defended them, with the loss only of seven men on his side; and so without more opposition he came very near Louvain, the Dyle running between his camp and the town; a deluge of rain fell that night, and swelled the Dyle so, that it was not possible to pass it. This gave the French time to recover themselves out of the first con-

sternation, that the advantages he had gained put them in: after a few days, when the passing the Dyle was practicable, the duke of Marlborough gave orders for it; but the French were posted with so much advantage on the other side, that the Dutch generals persuaded the deputies of the States, that they must run a great risk, if they should venture to force the passage. The duke of Marlborough was not a little mortified with this, but he bore it calmly, and moved another way. After some few motions, another occasion was offered, which he intended to lay hold on: orders were given to force the passage; but a motion through a wood, that was thought necessary to support that, was not believed practicable; so the deputies of the States were again possessed with the danger of the attempt: and they thought their affairs were in so good a condition, that such a desperate undertaking as that seemed to be, was not to be ventured on.

This was very uneasy to the duke, but he was forced to submit to it, though very unwillingly: all agreed that the enterprise was bold and doubtful; some thought it must have succeeded, though with some loss at first; and that if it had succeeded, it might have proved a decisive action; others indeed looked on it as too desperate. A great breach was likely to arise upon this, both in the army, and among the States at the Hague, and in the towns of Holland, in Amsterdam in particular; where the burghers came in a body to the Stadt-house, complaining of the deputies, and that the duke of Marlborough had not fuller powers.

I can give no judgment in so nice a point, in which military men were of very different opinions, some justifying the duke of Marlborough as much as others censured him: he showed great temper on this occasion, and though it gave him a very sensible trouble, yet he set himself to calm all the heat that was raised upon it. The campaign in Flanders produced nothing after this but fruitless marches, while our troops were subsisted in the enemy's country until the time came of going into winter quarters. Prince Lewis's backwardness, and the caution of the deputies of the States, made this campaign less glorious than was expected; for I never knew the duke of Marlborough go out so full of hopes as in the beginning of it; but things had not answered his expectation.

This summer the emperor Leopold died: he was the most knowing, and the most virtuous, prince of his communion: only he wanted the judgment that was necessary for conducting great affairs in such critical times: he was almost always betrayed, and yet he was so firm to those who had the address to insinuate themselves into his good opinion and confidence, that it was not possible to let him see those miscarriages that ruined his affairs so often, and brought them sometimes near the last extremities: of these every body else seemed more sensible than he himself. He was devout and strict in his religion, and was so implicit in his submission to those priests, who had credit with him, the jesuits in particular, that he owed all his troubles to their counsels. The persecution they began in Hungary raised one great war, which gave the Turks occasion to besiege Vienna, by which he was almost entirely swallowed up; this danger did not produce more caution; after the peace of Carlowitz, there was so much violence and oppression in the government of Hungary, both of papists and protestants, that this raised a second war there, which, in conjunction with the revolt of the elector of Bavaria, brought him a second time very near utter ruin: yet he could never be prevailed on, either to punish, or so much as to suspect those who had so fatally entangled his affairs: that without foreign aid nothing could have extricated them. He was naturally merciful to a fault, for even the punishment of criminals was uneasy to him: yet all the cruelty in the persecution of heretics seemed to raise no relenting in him. It could not but be observed by all protestants, how much the ill influence of the popish religion appeared in him, who was one of the mildest and most virtuous princes of the age, since cruelty in the matters of religion had a full course under him, though it was as contrary to his natural temper as it was to his interests, and proved oftener than once almost fatal to all his affairs. His son Joseph, elected king of the Romans, succeeded him both in his hereditary and elective dignities: it was given out, that he would apply himself much to business, and would avoid those rocks on which his father had struck, and almost split; and correct those errors to which his father's easiness had exposed him: he promised to those ministers, that the queen and the States had in his court, that he would offer all reasonable terms to

the Hungarians : and he consented to their setting a treaty on foot, in which they were to be the mediators, and become the guarantees for the observance of such articles as should be agreed on ; and he gave great hopes that he would not continue in that subjection to the priests, with which his father had been captivated.

He desired to confer with the duke of Marlborough, and to concert all affairs with him : the queen consented to this, and the duke went to Vienna, where he was treated with great freedom and confidence, and he had all assurances given him that could be given in words ; he found that the emperor was highly dissatisfied with the prince of Baden, but he had such credit in the empire, especially with the circles of Suabia and Franconia, that it was necessary to bear with that, which could not be helped. The duke of Marlborough returned through the hereditary dominions to Berlin, where he had learned so perfectly to accommodate himself to that king's temper, that he succeeded in every thing he proposed, and renewed all treaties for one year longer. He came from thence to the court of Hanover, and there he gave them full assurances of the queen's adhering firmly to their interests, in maintaining the succession to the crown in their family, with which the elector was fully satisfied ; but it appeared that the electress had a mind to be invited over to England. From thence he came back to Holland, and it was near the end of the year before he came over to England. Thus I have cast all that relates to him, in one continued series, though it ran out into a course of many months.

The German army was not brought together before August ; it was a very brave one, yet it did not much : the French gave way, and retired before them : Haguenau and some other places were left by the French, and possessed by the imperialists : a blockade was laid to Fort Lewis ; but nothing was done by that noble army, equal either to their numbers and strength, or to the reputation that the prince of Baden had formerly acquired. This was contrary to the general expectation : for it was thought, that being at the head of so great an army, he would have studied to have signalized himself, if it had been but to rival the glory that the duke of Marlborough and prince Eugene had acquired.

Prince Eugene had a hard time in Italy ; he had a weak army, and it was both ill-provided and ill-paid ; he was long shut up within the country of Bergamo ; at last he broke through to Cusano, where there was a very hot action between him and the duke of Vendôme ; both sides pretended they had the victory ; yet the duke of Vendôme repassed the river, and the imperialists kept the field of battle. The French threatened Turin with a siege, but they began with Chivas, which held out some months, and was at last abandoned ; the duke of Feuillade commanded the army near Turin, and seemed to dispose every thing in order to a siege ; but the design was turned upon Nice, though late in the year : they made a brave resistance for many weeks ; in December they were forced to capitulate, and the place was demolished by the French.

The firmness that the duke of Savoy expressed under all these losses, was the wonder of all Europe ; he had now but a small army of eight thousand foot and four thousand horse, and had scarcely territory enough to support these ; he had no considerable places left him but Turin and Coni ; but he seemed resolved to be driven out of all rather than abandon the alliance. His duchess, with all the clergy, and indeed all his subjects, prayed him to submit to the necessity of his affairs ; nothing could shake him ; he admitted none of his bishops nor clergy into his councils, and as his envoy, the count Briançon, told me, he had no certain father confessor, but sent sometimes to the Dominicans, and sometimes to the Franciscans for a priest, when he intended to go to confession.

I turn next to Spain, which was this year a scene of most important transactions : the first campaign in Portugal, before the hot season, produced nothing : the second campaign seemed to promise somewhat, but the conduct was so feeble, that though the earl of Galway did all that was possible to put things in a good posture, yet he saw a disposition in the ministers, and in their whole management, that made him often despair, and wish himself out of the service. Fagel, that commanded the Dutch forces, acted in every thing in opposition to him, and it was visible that the ministers did secretly encourage that by which they excused themselves.

King Charles was so disgusted with these proceedings, that he was become quite weary

of staying in Portugal ; so when the fleet of the allies came to Lisbon with an army on board, of above five thousand men, commanded by the earl of Peterborough, he resolved to go aboard, and to try his fortune with them. The almirante of Castile died about that time ; some thought that was a great loss, though others did not set so high a value upon him, nor on any of the intrigues that were among the grandes at Madrid ; they were indeed offended with several small matters in king Philip's conduct, and with the ascendant that the French had in all their councils ; for they saw every thing was directed by orders sent from Versailles, and that their king was really but a viceroy : they were also highly provoked at some innovations made in the ceremonial, which they valued above more important matters : many seemed disgusted at that conduct, and withdrew from the court. The marquis of Leganes was considered as most active in infusing jealousies and a dislike of the government into the other grandes, so he was seized on, and sent prisoner to Navarre ; the grandes, in all their conduct, showed more of a haughty sullenness in maintaining their own privileges, than of a generous resolution to free their country from the slavery under which it was fallen ; they seemed neither to have heads capable of laying any solid designs for shaking off the yoke, nor hearts brave enough to undertake it.

Our fleet sailed from Lisbon with king Charles ; they stopped at Gibraltar, and carried along with them the prince of Hesse, who had been so long governor of Barcelona, that he knew both the tempers, and the strength, and importance of the place. The first design of this expedition was concerted with the duke of Savoy ; and the forces they had on board were either to join him, or to make an attempt on Naples or Sicily, as should be found most advisable : there were agents employed in different parts of Spain to give an account of the disposition people were in, and of what seemed most practicable. A body of men rose in Catalonia about Vick ; upon the knowledge king Charles had of this, and upon other advertisements that were sent to our court, of the dispositions of those of that principality, the orders which king Charles desired were sent : and brought by a runner, that was dispatched from the queen to the fleet ; so the fleet steered to the coast of Catalonia, to try what could be done there. The earl of Peterborough, who had set his heart on Italy and on prince Eugene, was not a little displeased with this, as appeared in a long letter from him, which the lord treasurer shewed me.

They landed not far from Barcelona, and were joined with many Miquelets and others of the country ; these were good at plundering, but could not submit to a regular discipline, nor were they willing to expose themselves to dangerous services. Barcelona had a garrison of five thousand men in it ; these were commanded by officers who were entirely in the interests of king Philip ; it seemed a very unreasonable thing to undertake the siege of such a place, with so small a force ; they could not depend on the raw and undisciplined multitudes that came in to join them, who if things succeeded not in their hands, would soon abandon them, or perhaps study to merit a pardon, by cutting their throats. A council of war was called, to consult on what could be proposed and done ; Stanhope, who was one of them, told me, that both English and Dutch were all of opinion, that the siege could not be undertaken with so small a force ; those within being as strong as they were, nor did they see any thing else worth the attempting : they therefore thought that no time was to be lost, but that they were all to go again on board, and to consider what course was next to be taken, before the season were spent, when the fleet would be obliged to return back again, and if they could not fix themselves any where before that time, they must sail back with the fleet. The prince of Hesse only was of opinion, that they ought to sit down before Barcelona ; he said, he had secret intelligence of the good affections of many in the town, who were well known to him, and on whom he relied, and he undertook to answer for their success ; this could not satisfy those who knew nothing of his secrets, and so could only judge of things by what appeared to them.

The debate lasted some hours ; in conclusion, the king himself spoke near half an hour ; he resumed the whole debate, he answered all the objections that were made against the siege, and treated every one of those who had made them, as he answered them, with particular civilities ; he supported the truth of what the prince of Hesse had asserted, as being known to himself ; he said, in the state in which his affairs then stood, nothing could be proposed

that had not great difficulties in it, all was doubtful, and much must be put to hazard ; but this seemed less dangerous than any other thing that was proposed : many of his subjects had come and declared for him, to the hazard of their lives ; it became him therefore to let them see, that he would run the same hazard with them ; he desired that they would stay so long with him, until such attempts should be made, that all the world might be convinced that nothing could be done, and he hoped that till that appeared, they would not leave him ; he added, that if their orders did oblige them to leave him, yet he could not leave his own subjects : upon this they resolved to sit down before Barcelona. They were all amazed to see so young a prince, so little practised in business, argue in so nice a point, with so much force, and conclude with such heroical resolutions. This proved happy in many respects ; it came to be known afterwards, that the Catalans and Miquelets, who had joined them, hearing that they were resolved to abandon them and go back to their ships, had resolved, either out of resentment, or that they might merit their pardon, to murder as many of them as they could. When this small army sat down before Barcelona, they found they were too weak to besiege it : they could scarcely mount their cannon : when they came to examine their stores, they found them very defective ; and far short of the quantities that by their lists they expected to find ; whether this flowed from treachery, or carelessness, I will not determine ; there is much of both in all our offices. It soon appeared that the intelligence was true concerning the inclinations of those in the town, their affections were entire for king Charles ; but they were over-awed by the garrison, and by Velasco, who as well as the duke of Pepoli, who had the chief command, was devoted to the interests of king Philip. Deserters came daily from the town and brought them intelligence : the most considerable thing was, that fort Montjuy was very ill guarded, it being thought above their strength to make an attempt on it ; so it was concluded that all the hopes of reducing Barcelona lay in the success of their design on that fort. Two bodies were ordered to march secretly that night, and to move towards the other side of Barcelona, that the true design might not be suspected, for all the hopes of success lay in the secrecy of the march. The first body consisted of eight hundred, and both the prince of Hesse and the earl of Peterborough led them : the other body consisted of six hundred, who were to follow these at some distance, and were not to come above half way up the hill till further order : Stanhope led this body, from whom I had this account. They drew up with them some small field-pieces and mortars ; they had taken a great compass, and had marched all night, and were much fatigued by the time that they had gained the top of the hill ; three hundred of them, being commanded to another side of the fort, were separated from the rest, and mistaking their way, fell into the hands of a body of men, sent up from the town to reinforce the garrison in the fort ; before they were separated, the whole body had attacked the out-works, and carried them ; but while the prince of Hesse was leading on his men he received a shot in his body, upon which he fell ; yet he would not be carried off, but continued too long in the place giving orders, and died in a few hours, much and justly lamented. The governor of the fort, seeing a small body in possession of the out-works, resolved to sally out upon them, and drew up four hundred men in order to it ; these would soon have mastered a small and wearied body, disheartened by so great a loss ; so that if he had followed his resolution all was lost, for all that Stanhope could have done, was, to receive, and bring off such as could get to him ; but one of those newly taken, happening to cry out, " O poor prince of Hesse," the governor hearing this, called for him, and examined him, and when he learned that both the prince of Hesse and the earl of Peterborough were with that body, he concluded that the whole army was certainly coming up after them ; and reflecting on that, he thought it was not fit for him to expose his men, since he believed the body they were to attack would be soon much superior to him ; so he resolved not to risk a sally, but to keep within and maintain the fort against them. Thus the earl of Peterborough continued quiet in the out-works, and being reinforced with more men, he attacked the fort, but with no great hopes of succeeding : he threw a few bombs into it, one of these fell happily into the magazine of powder, and blew it up : by this the governor and some of the best officers were killed, which struck the rest with such a consternation, that they delivered up the place. This success gave them great hopes, the town lying just under the hill, which the fort stood on ; upon this the party in Barce-

lona, that was well affected to king Charles, began to take heart, and to show themselves ; and after a few days' siege, another happy bomb fell with so good an effect, that the garrison was forced to capitulate.

King Charles was received into Barcelona with great expressions of joy : in the first transport, they seemed resolved to break through the articles granted to the garrison, and to make sacrifices of the chief officers at least. Upon that the earl of Peterborough, with Stanhope and other officers, rode about the streets to stop this fury, and to prevail with the people to maintain their articles religiously ; and in doing this, Stanhope said to me, they ran a greater hazard, from the shooting and fire that was flying about in that disorder, than they had during the whole siege : they at last quieted the people, and the articles of capitulation were punctually observed. Upon this unexpected success, the whole principality of Catalonia declared for king Charles : I will not prosecute this relation so minutely in other parts of it, having set down so particularly that which I had from so good a hand, chiefly to set forth the signal steps of Providence that did appear in this matter.

Soon after, our fleet sailed back to England, and Stanhope was sent over in it, to give a full relation of this great transaction \* : by him king Charles wrote to the queen a long and clear account of all his affairs ; full of great acknowledgments of her assistance, with a high commendation of all her subjects, more particularly of the earl of Peterborough ; the queen was pleased to show me the letter : it was all written in his own hand, and the French of it was so little correct, that it was not like what a secretary would have drawn for him : so from that I concluded he penned it himself. The lord treasurer had likewise another long letter from him, which he showed me ; it was all in his own hand ; one correction seemed to make it evident that he himself composed it. He wrote towards the end of the letter, that he must depend on his "protection ;" upon reflection, that word seemed not fit for him to use to a subject, so it was dashed out, but the letters were still plain, and instead of it, "application" was written over head : these letters gave a great idea of so young and inexperienced a prince, who was able to write with so much clearness, judgment, and force. By all that is reported of the prince of Lichtenstein, that king could not receive any great assistance from him ; he was spoken of as a man of a low genius, who thought of nothing but the ways of enriching himself, even at the hazard of ruining his master's business.

Our affairs at sea were more prosperous this year than they had been formerly ; in the beginning of the season our cruisers took so many of the French privateers, that we had some thousands of their seamen in our hands : we kept such a squadron before Brest, that the French fleet did not think fit to venture out, and their Toulon squadron had suffered so much in the action of the former years, that they either could not, or would not venture out ; by this means our navigation was safe, and our trade was prosperous.

The second campaign in Portugal ended worse than the first : Badajos was besieged, and the earl of Galway hoped he should have been quickly master of it ; but his hopes were not well grounded, for the siege was raised : in one action the earl of Galway's arm was broken by a cannon ball : it was cut off, and for some days his life was in great danger ; the miscarriage of the design heightening the fever that followed his wound, by the vexation that it gave him. But now, upon the news from Catalonia, the councils of Portugal were quite changed ; they had a better prospect than formerly, of the reduction of Spain ; the war was

\* James Stanhope, baron and viscount Mahon, and earl Stanhope, descended from the earls of Chesterfield, was born in Herefordshire during the year 1673. Whilst a youth he resided for several years with his father in Spain, and acquired a perfect knowledge of its language. It is impossible in the compass of a note to follow him through all his services, for England has given birth to few who can compete with him in the successful exercise of great and various talents. Entering the army, he became, in 1705, a brigadier-general. His military services are associated with the histories of Namur, Cadiz, Rodello, Barcelona, Minorca, and Madrid. In the senate, whether as a commoner, or peer, he greatly distinguished himself. On the accession of George the First, he was appointed secretary of state ; and, in 1716,

filled, with equal reputation, the offices of first lord of the treasury, and chancellor of the exchequer. As a negotiator he was never surpassed, as was acknowledged at Paris, Madrid, the Hague, and Berlin, whither and elsewhere he went, as ambassador and plenipotentiary. His own sovereigns highly esteemed him, and the chief continental monarchs respected and personally valued him. He died suddenly. While speaking with great animation in the house of lords, he was seized with a giddiness that was the prelude of death, which supervened the following day, February the 5th, 1721. When George the First received this mournful announcement he burst into tears, and retired for some hours into his closet. His funeral was accompanied with the greatest honours.—British Peerage ; Noble's Contin. of Grainger.

now divided, which lay wholly upon them before ; and the French party in that court had no more the old pretence to excuse their councils by, which was, that it was not fit for them to engage themselves too deep in that war, nor to provoke the Spaniards too much, and so expose themselves to revenges, if the allies should despair and grow weary of the war, and recall their troops and fleets. But now that they saw the war carried on so far, in the remotest corner of Spain, which must give a great diversion to king Philip's forces, it seemed a much safer, as well as it was an easier thing to carry on the war, with more vigour for the future. Upon this, all possible assurances were given the earl of Galway, that things should be conducted hereafter fully to his content. So that by two of his dispatches, which the lord treasurer showed me, it appeared that he was then fully convinced of the sincerity of their intentions, of which he was in great doubt, or rather despairing formerly.

In Hungary matters went on very doubtfully ; Transylvania was almost entirely reduced ; Ragotzi had great misfortunes there, as the court of Vienna published the progress of the new emperor's arms, but this was not to be much depended on ; they could not conceal on the other hand the great ravages that the malcontents made in other places : so that Hungary continued to be a scene of confusion and plunder.

Poland was no better : king Augustus's party continued firm to him, though his long stay in Saxony gave credit to a report spread about, that he was resolved to abandon that kingdom, and to return to it no more ; this summer passed over in motions, and actions of no great consequence ; what was gained in one place was lost in another. Stanislaus got himself to be crowned : the old cardinal, though summoned to Rome, would not go thither ; he suffered himself to be forced to own Stanislaus, but died before his coronation, and that ceremony was performed by the bishop of Cujavia : the Muscovites made as great ravages in Lithuania, as they had done formerly in Livonia : the king of Sweden was in perpetual motion ; but though he endeavoured it much, he could not bring things to a decisive action. In the beginning of winter, king Augustus, with two persons only, broke through Poland in disguise, and got to the Muscovite army, which was put under his command. The campaign went on all the winter season, which, considering the extreme cold in those parts, was thought a thing impracticable before. In the spring after, Reinschild, a Swedish general, fell upon the Saxon army, that was far superior to his in number : he had not above ten thousand men, and the Saxons were about eighteen thousand : he gave them a total defeat, killed about seven thousand, and took eight thousand prisoners, and their camp, baggage, and artillery : numbers upon such occasions are often swelled, but it is certain this was an entire victory ; the Swedes gave it out, that they had not lost a thousand men in the action ; and yet even this great advantage was not likely to put an end to the war, nor to the distractions into which that miserable kingdom was cast. In it the world saw the mischiefs of an elective government, especially when the electors have lost their virtue, and set themselves to sale. The king of Sweden continued in an obstinate aversion to all terms of peace ; his temper, his courage, and his military conduct were much commended ; only all said he grew too savage, and was so positive and peremptory in his resolutions, that no applications could soften him ; he would scarcely admit them to be made ; he was said to be devout almost to enthusiasm, and he was severely engaged in the Lutheran rigidity, almost equally against papists and calvinists : only his education was so much neglected, that he had not an equal measure of knowledge to direct his zeal.

This is such a general view of the state of Europe this summer, as may serve to show how things went on in every part of it. I now return to England. The election of the members of the house of commons was managed with zeal and industry on both sides : the clergy took great pains to infuse into all people, tragical apprehensions of the danger the church was in : the universities were inflamed with this, and they took all means to spread it over the nation with much vehemence : the danger the church of England was in, grew to be as the word given in an army ; men were known as they answered it : none carried this higher than the jacobites, though they had made a schism in the church : at last, even the papists, both at home and abroad, seemed to be disturbed, with the fears that the danger our church was in, put them under ; and this was supported by the Paris Gazette, though the party

seemed concerned and ashamed of that. Books were written and dispersed over the nation with great industry, to possess all people with the apprehensions that the church was to be given up, that the bishops were betraying it, and that the court would sell it to the dissenters. They also hoped that this campaign, proving less prosperous than had been expected, might put the nation into ill humour, which might furnish them with some advantages. In opposition to all this, the court acted with such caution and coldness, that the whigs had very little strength given them by the ministers, in managing elections: they seemed rather to look on as indifferent spectators, but the whigs exerted themselves with great activity and zeal. The dissenters, who had been formerly much divided, were now united, entirely in the interests of the government, and joined with the whigs every where.

When the elections were all over, the court took more heart; for it appeared, that they were sure of a great majority, and the lord Godolphin declared himself more openly than he had done formerly in favour of the whigs: the first instance given of this, was the dismissing of Wright, who had continued so long lord-keeper, that he was fallen under a high degree of contempt with all sides; even the tories, though he was wholly theirs, despising him: he was sordidly covetous, and did not at all live suitably to that high post: he became extremely rich, yet I never heard him charged with bribery in his court, but there was a foul rumour, with relation to the livings of the crown, that were given by the great seal, as if they were set to sale, by the officers under him.

The seals being sent for, they were given to Cowper, a gentleman of a good family, of excellent parts, and of an engaging deportment, very eminent in his profession, and who had for many years been considered as the man who spoke the best of any in the house of commons: he was a very acceptable man to the whig party: they had been much disgusted with the lord treasurer for the coldness he expressed, as if he would have maintained a neutrality between the two parties; though the one supported him, while the other designed to ruin him: but this step went a great way towards the reconciling the whigs to him\*.

\* William Cowper, viscount Fordwich, earl Cowper, was a native of Hertfordshire, and supposed to have been born at Hertford Castle; but neither in the registers of its churches, nor in the church where he was buried, is there any testimonial of his merits, or a record of his age. There is in Hertfordbury church a splendid mausoleum for the Cowper family, and inscriptions to the memory of some of its members; but of lord chancellor Cowper, the most talented, and most honoured of the race, there is not a tributary line. He, and his brother Spencer, devoted themselves to the law; the latter was left behind by his senior in the race for honourable distinction, yet did not die un-promoted, for at his decease he was a justice of the common pleas. The future lord chancellor soon became distinguished for legal acquirements, for not long after his admission to the bar, he was elected recorder of Colchester. Our law records show how extensively he was employed as an advocate, and how much he merited this success. His superior qualifications and his consistent conduct as one of the whig party, gained him the seals, as mentioned above. The duchess of Marlborough claims credit for his promotion. She says, "I prevailed with her majesty to take the great seal from sir Nathan Wright, a man despised by all parties, of no use to the crown, and whose weak and wretched conduct in the court of chancery had almost brought the office into contempt. His removal, however, was a great loss to the church, for which he had ever been a warm stickler; and this loss was more sensibly felt, as his successor, my lord Cowper, was not only of the whig party, but of such abilities and integrity, as brought a new credit to it in the country." (Account of the Conduct of the Duchess of Marlborough.) Mrs. Masham having superseded the duchess in the favour of Queen Anne, by her intrigues, aided by Mr. Harley, and others of the tory party, the whigs were removed from office, and lord Cowper, notwithstanding the solicitation of the queen, refused to retain the chancellorship connected with those

from whom he totally differed in politics. On the accession of George the First, he again was placed upon the woolsack, but finally resigned office in 1718. He died in 1723. To Swift he was opposed in politics, therefore by him his lordship was virulently abused. In numbers 18, 23, and 27 of "*The Examiner*," the dean attacks him by the name of "Will Bigamy," alluding to a charge that was made against his lordship of having had a fictitious marriage with one lady, and then being legally united to another. The truth, or falsehood of this charge, is not certain. It may, perhaps, be admitted, that his abilities were not of the highest cast, but the intrinsic value of his character was sustained by the unimpeachable integrity he possessed. This may be instanced by the objection which he had to the easy enactment of private bills, and the consequent fees he received; and to the new year's gifts, that it had become customary for the lord chancellors to receive. As an orator at the bar, and in the senate, he was generally admired; yet his contemporary, lord Chesterfield, says, "his strength lay by no means in his reasoning, for he often hazarded very weak ones. But such was the purity and elegance of his style, that he never spoke without universal applause. The ears and the eyes gave him up the hearts and the understanding of the audience." To elegance of style, and harmony of voice, he added the most graceful and urbane manners. This appeared very eminently when he sat as chief judge at the trial of the earl of Oxford and other noblemen. It was so characteristic, that Pope, in detailing a complimentary dialogue between two sergeants-at-law, puts into their mouths these words:—

" 'Twas, sir, your law; " and, " Sir, your eloquence," "Your's, Cowper's manner," and "Your's Talbot's sense." One anecdote illustrative of his benevolent manner must not be omitted. In 1705, Richard Cromwell, the ex-protector, lost his only son, unmarried. By this, Richard

A session of parliament met this summer in Scotland: there was a change made in the ministry there: those who were employed in the former session could not undertake to carry a majority; so all the duke of Queensbury's friends were again brought into employment. The duke of Argyle's instructions were, that he should endeavour to procure an act, settling the succession as it was in England, or to set on foot a treaty for the union of the two kingdoms: when he came to Scotland, and laid his instructions before the rest of the ministers there, the marquis of Annandale pressed that they should first try that which was first named in the instructions, and he seemed confident that if all who were in employments would concur in it, they should be able to carry it. Those of another mind, who were in their hearts for the pretended prince of Wales, put this by with great zeal; they said they must not begin with that which would meet with great opposition, and be perhaps rejected; that would beget such an union of parties, that if they miscarried in the one, they would not be able to carry the other; therefore they thought that the first proposition should be for the union; that was popular, and seemed to be a remote thing; so there would be no great opposition made to a general act about it. Those who intended still to oppose it, would reckon they would find matter enough in the particulars to raise a great opposition, and so to defeat it. This course was agreed on, at which the marquis of Annandale was so highly offended, that he concurred no more in the councils of those who gave the other advice. Some did sincerely desire the union, as that which would render the whole island happy; others were in their hearts against it; they thought it was a plausible step, which they believed would run, by a long treaty, into a course of some years; that during that time they would be continued in their employments, and they seemed to think it was impossible so to adjust all matters as to frame such a treaty as would pass in the parliaments of both kingdoms. The jacobites concurred all heartily in this; it kept the settling the succession at a distance, and very few looked on the motion for the union as any thing but a pretence, to keep matters yet longer in suspense; so this being proposed in parliament, it was soon and readily agreed to, with little or no opposition. But that being over, complaints were made of the acts passed, in the parliament of England; which carried such an appearance of threatening, that many thought it became them not to enter on a treaty till these should be repealed. It was carried, but not without difficulty, that no clause relating to that should be in the act that empowered the queen to name the commissioners; but that an address should be made to the queen, praying her that no proceedings should be made in the treaty till the act that declared the Scotch aliens by such a day, should be repealed: they also voted, that none of that nation should enter upon any such treaty till that were first done. This was popular, and no opposition was made to it; but those who had ill intentions hoped that all would be defeated by it. The session run out into a great length, and in the harvest-time, which put the country to a great charge.

In Ireland, the new heat among the protestants there, raised in the earl of Rochester's time, and connived at, if not encouraged by the duke of Ormond, went on still: a body of hot clergymen sent from England, began to form meetings in Dublin, and to have emissaries and a correspondence over Ireland, on design to raise the same fury in the clergy of that kingdom against the dissenters that they had raised here in England: whether this was only the effect of an unthinking and ill-governed heat among them, or if it was set on by foreign practices, was not yet visible. It did certainly serve their ends, so that it was not to be doubted that they were not wanting in their endeavours to keep it up, and to promote it, whether they were the original contrivers of it, or not; for indeed hot men,

became entitled to a life estate in the manor of Hurstley, near Winchester. He sent his youngest daughter to take possession of the estate, but instead of surrendering it to her father, she and her sisters endeavoured to retain it, pleading that he was superannuated, and that they would allow him an annuity. Richard's advanced age did not prevent him behaving with becoming spirit. He proceeded against his rebellious children, and having to appear in court, his sister, lady Fauconberg, sent him thither in her coach. Lord Cowper, remembering Cromwell's former elevation, conducted him into an apartment where

he had refreshments, and when in court he allowed him to be seated and covered. One of the opponent counsel objecting to this was immediately stopped by the chancellor, who eventually decreed in his favour. The chancellor's conduct was approved by queen Anne. Mr. Bulstrode Whitelocke being in court, observed, "This day so many years ago, I saw my father carry the great seal before that man (Cromwell) through Westminster Hall."—*Biog. Britannica* by Kippis; *Miss Hawkins's Memoirs*; *Noble's Contin. of Grainger*.

not practised in affairs, are apt enough of their own accord to run into wild and unreasonable extravagances.

The parliament of England met in the end of October: the first struggle was about the choice of a speaker, by which a judgment was to be made of the temper and inclinations of the members. The court declared for Mr. Smith; he was a man of clear parts, and of a good expression: he was then in no employment, but he had gone through great posts in the former reign, with reputation and honour. He had been a commissioner of the treasury, and chancellor of the exchequer: he had, from his first setting out into the world, been thoroughly in the principles and interests of the whigs, yet with a due temper in all personal things, with relation to the tories; but they all declared against him for Mr. Bromley, a man of a grave deportment, and good morals, but looked on as a violent tory, and as a great favourer of jacobites; which appeared evidently in a relation he printed of his travels\*. No matter of that sort had ever been carried with such heat on both sides as this was: so that it was just to form a judgment upon it of the temper of the house, it went for Mr. Smith by a majority of four-and-forty.

The queen, after she had confirmed this choice, made a speech, in which she recommended union to them, in a very particular manner: she complained of the reports that were spread by ill-designing men, of the danger the church was in, who under these insinuations covered that which they durst not own †. She recommended the care of the public supplies to the commons, and spoke of the duke of Savoy in high and very obliging terms. This produced addresses from both houses, in which they expressed a detestation of those practices of infusing into her subjects groundless fears concerning the church: this went easily, for some kept out of the way, from whom it was expected that they would afterwards open more copiously on the subject. The chairmen of the several committees of the house of commons, were men of whom the court was well assured.

The first matter with which they commonly begin is to receive petitions against the members returned, so that gave a further discovery of the inclinations of the majority: the corruption of the nation was grown to such a height, and there was so much foul practice on all hands, that there was, no doubt, great cause of complaint. The first election that was judged was that of St. Albans, where the duchess of Marlborough had a house: she recommended admiral Killigrew to those in the town, which was done all England over, by persons of quality, who had any interest in the burghers; yet though much foul practice was proved on the other hand, and there was not the least colour of evidence to fix any ill practice on her, some reflected very indecently upon her: Bromley compared her to Alice Piers, in king Edward the Third's time, and said many other virulent things against her; for indeed she was looked upon by the whole party, as the person who had reconciled the whigs to the queen, from whom she was naturally very averse. Most of the controverted elections were carried in favour of the whigs: in some few they failed, more by reason of private animosities, than by the strength of the other side. The house of commons came readily in to vote all the supplies that were asked, and went on to provide proper funds for them.

The most important debates that were in this session began in the house of lords; the queen being present at them all. The lord Haversham opened the motions of the tory side; he arraigned the duke of Marlborough's conduct, both on the Moselle and in Brabant, and reflected severely on the Dutch, which he carried so far as to say, that the war cost them nothing; and after he had wandered long in a rambling discourse, he came at last to the point which was laid to be the debate of the day: he said we had declared a successor to the crown, who was at a great distance from us; while the pretender was much nearer; and Scotland was armed and ready to receive him; and seemed resolved not to have the same

\* The right honourable William Bromley appears to have been the son of sir William Bromley, knight of the Bath, resident at Baggington, in Warwickshire. Wealthy and highly estimable in private life, he had great interest with the party he supported. He represented the university of Oxford in parliament from 1701 until 1727. Though he failed obtaining the speakership as mentioned above, yet when the ministry was changed, in 1710, he was

raised to the chair without opposition. He died in 1732. His "Travels," published when he was a young man, rendered him distinguished for his jacobinical opinions.—Noble's Contin. of Grainger.

† The debate upon this part of the queen's speech, was very animated in the house of lords.—See Chandler's Debates, ii. 154; where Burnet's and other peers' speeches are given.

successor, for whom England had declared ; these were threatening dangers that hung over us, and might be near us. He concluded, that he did not see how they could be prevented, and the nation made safe, by any other way, but by inviting the next successor to come and live among us. The duke of Buckingham, the earls of Rochester, Nottingham, and Anglesey carried on the debate, with great earnestness : it was urged, that they had sworn to maintain the succession, and by that they were bound to insist on this motion, since there was no means so sure to maintain it, as to have the successor upon the spot ready to assume and maintain his right : it appeared, through our whole history, that whosoever came first into England had always carried it : the pretending successor might be in England within three days, whereas it might be three weeks before the declared successor could come : from thence it was inferred that the danger was apparent and dreadful, if the successor should not be brought over : if king Charles had been in Spain when the late king died, probably that would have prevented all this war, in which we were now engaged \*. With these lords, by a strange reverse, all the tories joined ; and by another, and as strange a reverse, all the whigs joined in opposing it. They thought this matter was to be left wholly to the queen ; that it was neither proper nor safe either for the crown, or for the nation, that the heir should not be in an entire dependence on the queen ; a rivalry between two courts might throw us into great distractions, and be attended with very ill consequences : the next successor had expressed a full satisfaction, and rested on the assurances the queen had given her, of her firm adherence to her title, and to the maintaining of it : the nation was prepared for it by the orders the queen had given to name her in the daily prayers of the church : great endeavours had been used to bring the Scotch nation to declare the same successor. It was true, we still wanted one great security, we had not yet made any provision for carrying on the government, for maintaining the public quiet, for proclaiming and sending for the successor, and for keeping things in order till the successor should come : it seemed therefore necessary, to make an effectual provision against the disorders that might happen in such an interval. This was proposed first by myself, and it was seconded by the lord Godolphin, and all the whigs went into it ; and so the question was put upon the other motion, as first made, by a previous division, whether that should be put, or not, and was carried in the negative by about three to one.

The queen heard the debate, and seemed amazed at the behaviour of some, who, when they had credit with her, and apprehended that such a motion might be made by the whigs, had possessed her with deep prejudices against it ; for they made her apprehend, that when the next successor should be brought over, she herself would be so eclipsed by it, that she would be much in the successor's power, and reign only at her, or his, courtesy : yet these very persons, having now lost their interest in her, and their posts, were driving on that very motion which they had made her apprehend was the most fatal thing that could befall. This the duchess of Marlborough told me, but she named no person ; and upon it a very black suspicion was taken up, by some, that the proposers of this matter knew, or at least believed, that the queen would not agree to the motion, which way soever it might be brought to her ; whether in an address, or in a bill ; and then they might reckon, that this would give such a jealousy, and create such a misunderstanding between her and the parliament, or rather the whole nation, as would unsettle her whole government, and put all things in disorder. But this was only a suspicion, and more cannot be made of it.

The lords were now engaged to go on in the debate for a regency ; it was opened by the lord Wharton in a manner that charmed the whole house † : he had not been present at the former debate, but he said he was much delighted with what he had heard concerning it ;

\* The speech of lord Haversham is given in Chandler's Debates, House of Lords, ii. 148.

† Thomas, marquis of Wharton, is described by those who knew him, as perfectly a gentleman in his manners, of superior mental capacity, and highly courageous ; but he was the greatest libertine of his time. He gloried in being vicious ; he was a slave to women, wine, and every excess. To support the consequent expense, no bribery was too barefaced. Such a man necessarily scoffed at

religion—for to him nothing would be more appalling than to be convinced of its truth. William employed him, but would never make him prime minister. Anne advanced him, but could not trust him. George the First made him lord privy seal. He died, aged sixty-six, in the year 1715. He is believed to have written the ballad of "Lillibullero."—Birch's Lives ; Mackay's Characters ; Noble's Contin. of Grainger.

he said, he had ever looked on the securing a protestant succession to the crown as that which secured all our happiness: he had heard the queen recommend, from the throne, union and agreement to all her subjects, with a great emotion in his own mind; it was now evident there was a divinity about her when she spoke; the cause was certainly supernatural, for we saw the miracle that was wrought by it; now all were for the protestant succession; it had not been always so: he rejoiced in their conversion, and confessed it was a miracle: he would not, he could not, he ought not to suspect the sincerity of those who moved for inviting the next successor over; yet he could not hinder himself from remembering what had passed, in a course of many years; and how men had argued, voted and protested all that while. This confirmed his opinion that a miracle was now wrought, and that might oblige some to show their change, by an excess of zeal, which he could not but commend, though he did not fully agree to it. After this preamble he opened the proposition for the regency, in all the branches of it; that regents should be empowered to act, in the name of the successor, till he should send over orders; that besides those, whom the parliament should name, the next successor should send over a nomination sealed up, and to be opened, when that accident should happen, of persons who should act in the same capacity with those who should be named by parliament; so the motion being thus digested, was agreed to by all the whigs, and a bill was ordered to be brought in, pursuant to these propositions. But upon the debate on the heads of the bill, it did appear that the conversion, which the lord Wharton had so pleasantly magnified, was not so entire as he seemed to suppose: there was some cause given to doubt of the miracle; for when a security, that was real and visible, was thus offered, those who made the other motion, flew off from it. They pretended, that it was because they could not go off from their first motion; but they were told, that the immediate successor might indeed, during her life, continue in England, yet it was not to be supposed that her son, the elector, could be always absent from his own dominions, and throw off all care of them, and of the concerns of the empire, in which he bore so great a share. If he should go over for ever so short a time, the accident might happen, in which it was certainly necessary to provide such an expedient as was now offered. This laid them open to much censure, but men engaged in parties are not easily put out of countenance. It was resolved that the regents should be seven and no more; and they were fixed by the posts they were in: the archbishop of Canterbury, the lord keeper, the lord treasurer, lord president, lord privy seal, lord high admiral, and the lord chief justice for the time being, were named for that high trust. The tories struggled hard, that the lord treasurer should not be one, only to show their spite to the lord Godolphin, but the motion was rejected with scorn; for it seemed ridiculous, in a time, when there might be much occasion for money, to exclude an officer from that high trust, who alone could furnish them with it, or direct them how to be furnished. The tories moved, that the lord mayor of London should be one, but that was likewise rejected; for the design of the act was, that the government should be carried on by those who should be at that time in the conduct and secret of affairs, and were persons nominated by the queen; whereas the lord mayor was chosen by the city, and had no practice in business. These regents were required to proclaim the next successor, and to give orders for the like proclamation over England and Ireland: the next successor might send a triplicate of the persons, named by her or him; one of these was to be deposited with the archbishop of Canterbury, another with the lord keeper, and a third with his own minister, residing at this court; upon the producing whereof, the persons nominated were to join with the regents, and to act in equality with them; the last parliament, even though dissolved, was to be presently brought together, and empowered to continue sitting for six months; and thus things were to be kept in order till the successor should either come in person, or send over his orders.

The tories made some opposition to every branch of the act, but in that of the parliament's sitting the opposition was more remarkable. The earl of Rochester moved that the parliament and the regents should be limited, to pass no act of repeal of any part of the act of uniformity, and, in his positive way, said, if this was not agreed to, he should still think the church was in danger, notwithstanding what they had heard from the throne in the beginning of the session. It was objected to this, that if the regal power was in the regents, and if

the parliament was likewise a legal one, then, by the constitution, the whole legislature was in them, and that could not be limited: for they could repeal any law that limited them. But the judges were of opinion that the power of regents might be limited. So that, as the design of moving this might be to have a new colour to possess the clergy that there was a secret design against the church, which might break out at such a time, the lords gave way to it, though they thought it unreasonable, and proposed with no good design. The tories, upon the yielding this to them, proposed a great many more limitations; such as the restraining the regents from consenting to a repeal of the act for triennial parliaments, the acts for trials in cases of treason, and some others: and so extravagant were they in their design of making the act appear ridiculous, that they proposed as a limitation that they should not have power to repeal the acts of succession. All these were rejected with scorn and indignation; the lords seeing by this their error in yielding to that proposed by the earl of Rochester. The bill passed in the house of lords, but the tories protested against it.

I never knew any thing in the management of the tories by which they suffered more in their reputation than by this. They hoped that the motion for the invitation would have cleared them of all suspicions of inclinations towards the pretended prince of Wales, and would have reconciled the body of the nation to them, and turned them against all who should oppose it; but the progress of the matter produced a contrary effect. The management was so ill disguised, that it was visible they intended only to provoke the queen by it, hoping that the provocation might go so far, that in the sequel all their designs might be brought about, though by a method that seemed quite contrary to them, and destructive of them.

The bill lay long in the house of commons, by a secret management that was against it. The tories there likewise proposed that the next successor should be brought over, which was opposed by the whigs, not by any vote against it, but by resolving to go through the lords' bill first. The secret management was from Hanover. Some indigent persons, and others employed by the tories, had studied to infuse jealousies of the queen and her ministers into the old electoress. She was then seventy-five, but had still so much vivacity, that, as she was the most knowing and the most entertaining woman of the age, so she seemed willing to change her scene, and to come and shine among us here in England\*. They prevailed with her to write a letter to the archbishop of Canterbury, intimating her readiness to come over, if the queen and parliament should desire it. This was made public by the intriguing persons in that court: and a colour was soon found to keep some whigs from agreeing to the act†. In the act that first settled the succession, one limitation (as was told in its proper place) had been, that when the crown should pass into that house, no man who had either place or pension should be capable of sitting in the house of commons. The clause in this bill, that empowered either the parliament that should be current at the queen's death, or that which had sat last (though dissolved), to sit for six months, or till the successor should dissolve it, seemed contrary to this incapacitating clause in the former act. Great exceptions were taken to this by some zealous whigs, who were so possessed with the notion of a self-denying bill, as necessary to preserve public liberty from the practices of a designing court, that for some weeks there was cause to fear not only the loss of the bill, but a breach among the whigs upon this head. Much pains were taken, and with very good effect, to heal this. It was at last settled: a great many offices were enumerated, and it

\* Sophia Hedwischia was the youngest of the twelve children of Frederic, elector palatine, titular king of Bohemia, and Elizabeth, the only sister of Charles the First. She was born at the Hague in 1630, and married Ernest Augustus, duke of Hanover, in 1658. The agitation of her mind, at the time of which Burnet treats in the above page, is supposed to have hastened her death. She died suddenly in the gardens of Haurenhausen, in 1714. Queen Anne only survived her fifty-three days. Sophia's long life was spotless. She had as many virtues, and confessedly more accomplishments, than any of the princesses her contemporaries. She spoke Low Dutch,

German, French, and Italian, and was a proficient in Latin. She was as great a worker with her needle as her contemporary, our queen Mary. These pursuits did not injure her health, for she constantly used the exercise of walking: age had not marked her with wrinkles, nor deprived her of teeth.—Noble's *Contin.* of Grainger.

† A pamphlet, recommending the visit to England of the electoress, was published, entitled, "A Letter from Sir Rowland Gwynne to the earl of Stamford." The commons voted it seditious, &c. See *Chandler's Debates of H. of Commons*, iii. 456.

was declared that every man who held any of these, was thereby incapacitated from sitting in the house of commons ; and every member of the house, who did accept of any other office, was upon that excluded the house, and a new writ was to go out to those whom he represented to choose again : but it was left free to them to choose him or any other, as they pleased. It was desired by those who pressed this matter most, that it should take place only in the next reign ; but, to remove all jealousy, the ministers were content that these clauses should take place immediately upon the dissolution of the present parliament. And when the house of commons sent up these self-denying clauses to the lords, they added to them a repeal of that clause, in the first act of succession, by which the succeeding princes were limited to govern by the advice of their council, and by which all the privy counsellors were to be obliged to sign their advices ; which was impracticable, since it was visible that no man would be a privy counsellor on those terms. The lords added the repeal of this clause to the amendments sent up by the commons, and the commons readily agreed to it.

After this act had passed, the lord Halifax, remembering what the earl of Rochester had said concerning the danger the church might be in, moved that a day might be appointed to enquire into those dangers, about which so many tragical stories had been published of late. A day was appointed for this, and we were all made believe that we should hear many frightful things ; but our expectations were not answered. Some spoke of danger from the presbytery that was settled in Scotland : some spoke of the absence of the next successor : some reflected on the occasional bill that was rejected in that house : some complained of the schools of the dissenters : and others reflected on the principles that many had drank in, that were different from those formerly received, and that seemed destructive of the church.

In opposition to all this, it was said that the church was safer now than ever it had been. At the revolution, provision was made that our king must be of the reformed religion, nor was this all ; in the late act of succession it was enacted, that he should be of the communion of the church of England. It was not reasonable to object to the house the rejecting a bill which was done by the majority, of whom it became not the lesser number to complain. We had all our former laws left to us, not only entire, but fortified by late additions and explanations ; so that we were safer in all these than we had been at any time formerly. The dissenters gained no new strength, they were visibly decreasing ; the toleration had softened their tempers, and they concurred zealously in serving all the ends of the government : nor was there any particular complaint brought against them : they seemed quiet and content with their toleration, if they could be but secure of enjoying it. The queen was taking the most effectual means possible to deliver the clergy from the depression of poverty, that brought them under much contempt, and denied them the necessary means and helps of study. The bishops looked after their dioceses with a care that had not been known in the memory of man. Great sums were yearly raised by their care and zeal, for serving the plantations, better than had ever yet been done. A spirit of zeal and piety appeared in our churches, and at sacrament, beyond the example of former times. In one respect it was acknowledged the church was in danger : there was an evil spirit and a virulent temper spread among the clergy : there were many indecent sermons preached on public occasions, and those hot clergymen, who were not the most regular in their lives, had raised factions in many dioceses against their bishops. These were dangers created by those very men who filled the nation with this outcry against imaginary ones, while their own conduct produced real and threatening dangers. Many severe reflections were thrown out on both sides in the progress of this debate.

It ended in a vote, carried by a great majority, that the church of England, under the queen's happy administration, was in a safe and flourishing condition ; and to this a severe censure was added on the spreaders of these reports of dangers, that they were the enemies of the queen and of her government. They also resolved to make an address to the queen, in which, after this was set forth, they prayed her to order a prosecution, according to law, of all who should be found guilty of this offence. They sent this down to the house of commons, where the debate was brought over again, but it was run down with great force.

The commons agreed with the lords, and both houses went together to the queen with this address. Such a concurrence of both houses had not been seen for some years. And indeed there was in both so great a majority for carrying on all the interests of the government, that the men of ill intentions had no hopes, during the whole session, of embroiling matters, but in the debates concerning the self-denying clause above-mentioned.

But though the main designs and hopes of the party had thus not only failed them, but turned against them, yet they resolved to make another attempt: it was on the duke of Marlborough, though they spoke of him with great respect. They complained of the errors committed this year in the conduct of the war. They indeed laid the blame of the miscarriage of the design on the Moselle on the prince of Baden, and the errors committed in Brabant on the States and their deputies: but they said they could not judge of these things, nor be able to lay before the queen those advices that might be fit for them to offer to her, unless they were made acquainted with the whole series of those affairs: therefore they proposed, that by an address they might pray the queen to communicate to them all that she knew concerning those transactions during the last campaign; for they reckoned that, if all particulars should be laid before them, they would find somewhat in the duke of Marlborough's conduct, on which a censure might be fixed. To this it was answered, that if any complaint was brought against any of the queen's subjects, it would be reasonable for them to enquire into it, by all proper ways: but the house of lords could not pretend to examine, or to censure, the conduct of the queen's allies: they were not subject to them, nor could they be heard to justify themselves: and it was somewhat extraordinary, if they should pass a censure, or make a complaint, of them. It was one of the trusts that was lodged with the government, to manage all treaties and alliances; so that our commerce with our allies was wholly in the crown: allies might sometimes fail, being not able to perform what they undertook: they are subject both to errors and to accidents, and are sometimes ill-served: the entering into that matter was not at all proper for the house, unless it was intended to run into rash and indiscreet censures, on design to provoke the allies, and by that means to weaken, if not break, the alliance. The queen would no doubt endeavour to redress whatsoever was amiss, and that must be trusted to her conduct.

So this attempt not only failed, but it happened upon this, as upon other occasions, that it was turned against those who made it. An address was made to the queen, praying her to go on in her alliances, and in particular to cultivate a perfect union and correspondence with the states of the United Provinces. This had a very good effect in Holland, for the agents of France were at the same time both spreading reports among us that the Dutch were inclined to a peace; and among them, that the English had very unkind thoughts of them. The design was to alienate us from one another, that so both might be thereby the better disposed to hearken to a project of peace; which, in the state in which matters were at that time, was the most destructive thing that could be thought on. And all motions that looked that way gave very evident discoveries of the bad intentions of those who made them.

The next business of a public nature that came before the parliament was carried very unanimously. The queen laid before the two houses the addresses of the Scotch parliament against any progress in the treaty of union, till the act, which declared them aliens by such a day, should be repealed. The tories upon this occasion, to make themselves popular, after they had failed in many attempts, resolved to promote this; apprehending that the whigs, who had first moved for that act, would be for maintaining their own work: but they seemed to be much surprised, when, after they had prefaced their motions in this matter, with such declarations of their intentions for the public good, that showed they expected opposition and a debate, the whigs not only agreed to this, but carried the motion further, to the other act relating to their manufacture and trade. This passed very unanimously in both houses; and, by this means, way was made for opening a treaty, as soon as the session should come to an end. All the northern parts of England, which had been disturbed for some years with apprehensions of a war with Scotland, that would certainly be mischievous to them, whatsoever the end of it might prove, were much delighted with the prospect of peace and union with their neighbours.

These were the most important debates during this session ; at all which the queen was present : she stayed all the while, and hearkened to every thing with great attention. The debates were managed on the one side by the lords Godolphin, Wharton, Somers, Halifax, Sunderland, and Townshend\* : on the other side, by the duke of Buckingham and the lords Rochester, Nottingham, Anglesey, Guernsey, and Haversham. There was so much strength and clearness on the one side, and so much heat and artifice on the other, that nothing but obstinate partiality could resist so evident a conviction.

The house of commons went on in creating funds for the supplies they had voted for the next year : and the nation was so well satisfied with the government, and the conduct of affairs, that a fund being created for two millions and a half, by way of annuities for ninety-nine years, at six and a half per cent., at the end of which the capital was to sink ; the whole sum was subscribed in a very few days. At the same time, the duke of Marlborough proposed the advance of a sum of 500,000*l.* to the emperor, for the use of prince Eugene and the service of Italy, upon a branch of the emperor's revenue in Silesia, at eight per cent., and the capital to be repaid in eight years. The nation did so abound, both in money and zeal, that this was likewise advanced in a very few days. Our armies, as well as our allies, were every where punctually paid. The credit of the nation was never raised so high in any age, nor so sacredly maintained. The treasury was as exact and as regular in all payments as any private banker could be. It is true, a great deal of money went out of the kingdom in specie : that which maintained the war in Spain was to be sent thither in that manner, the way by bills of exchange not being yet opened. Our trade with Spain and the West Indies, which formerly brought us great returns of money, was now stopped : by this means there grew to be a sensible want of money over the nation. This was in a great measure supplied by the currency of exchequer bills and bank notes : and this lay so obvious to the disaffected party, that they were often attempting to blast, at least to disparage, this paper credit ; but it was still kept up. It bred a just indignation in all who had a true love to their country, to see some using all possible methods to shake the administration, which, notwithstanding the difficulties at home and abroad, was much the best that had been in the memory of man : and was certainly not only easy to the subjects in general, but gentle even towards those who were endeavouring to undermine it.

The lord Somers made a motion in the house of lords to correct some of the proceedings in the common law and in chancery, that were both dilatory and very chargeable. He began the motion with some instances that were more conspicuous and gross ; and he managed the matter so, that both the lord keeper and judges concurred with him : though it passes generally for a maxim, that judges ought rather to enlarge than contract their jurisdiction. A bill passed the house that began a reformation of proceedings at law, which, as things now stand, are certainly among the greatest grievances of the nation. When this went through the house of commons, it was visible that the interest of under-officers, clerks, and attorneys, whose gains were to be lessened by this bill, was more considered than the interest of the nation itself. Several clauses, how beneficial soever to the subject, which touched on their profit, were left out by the commons. But what fault soever the lords

\* Charles, viscount Townshend, was in early life a tory, but joined the whig party when he observed that it was the staunchest supporter of the protestant interest. Under queen Anne, he was lord-lieutenant of Norfolk, captain of her yeoman guard, &c. At the accession of George the First, he was made principal secretary of state. In 1717, he went as lord-lieutenant to Ireland, and three years after became president of the council. George the Second continued him in the secretary's place. He acted for many years in conjunction with his brother-in-law, Walpole, but they at length quarrelled, and Townshend retired from office. Of this quarrel, a descendant has said, "It is difficult to trace the causes of a dispute between statesmen, but I will give you the history of this in a few words. As long as the firm was Townshend and Walpole, the utmost harmony prevailed ; but it no sooner

became Walpole and Townshend, than things went wrong, and a separation ensued." When lord Townshend was solicited again to return to office, he at once replied, "No—for I may be hurried away by the impetuosity of my temper, and by personal resentment, to adopt a line of conduct, which in my cooler moments I may regret." He retired to his seat, Rainham, in Norfolk, and died there suddenly, aged sixty-four, in 1738. He rang the bell, and upon his servant obeying the summons, his lordship was found without any symptom of life. Slow in decision, and perplexed in uttering his opinion, yet his judgment was sound and his foresight sagacious. In private life, no one was more amiable ; and let it be remembered, to his credit, that he opposed the impeachment of his political rival, the earl of Oxford.—Noble's Contin. Grainger; Coxe's Life, &c. of sir Robert Walpole.

might have found with these alterations, yet, to avoid all disputes with the commons, they agreed to their amendments.

There was another general complaint made of the private acts of parliament, that passed through both houses too easily, and in so great a number, that it took up a great part of the session to examine them, even in that cursory way, that was subject to many inconveniences. The fees that were paid for these to the speakers and clerks of both houses inclined them to favour and promote them: so the lord Somers proposed such a regulation in that matter, as will probably have a good effect for the future. The present lord keeper did indeed very generously obstruct those private bills as much as his predecessor had promoted them. He did another thing of a great example: on the first day of the year it was become a custom, for all those who practised in chancery, to offer a new-year's gift to the lord who had the great seal: these grew to be so considerable, that they amounted to 1500*l.* a-year: on this new-year's day, which was his first, he signified to all who, according to custom, were expected to come with their presents, that he would receive none, but would break that custom. He thought it looked like the insinuating themselves into the favour of the court; and that if it was not bribery, yet it came too near it, and looked too like it. This contributed not a little to the raising his character. He managed the court of chancery with impartial justice and great dispatch, and was very useful to the house of lords in the promoting of business.

When the session was near an end, great complaints were made in both houses of the progress of popery in Lancashire, and of many insolences committed there, both by the laity and priests of that religion. Upon this, a bill was brought into the house of commons with clauses that would have rendered the bill passed against papists, in the end of the last reign, effectual. This alarmed all of that religion; so that they made very powerful (or, to follow the raillyery of that time, very weighty) intercessions with the considerable men of that house. The court looked on and seemed indifferent in the matter, yet it was given out that so severe a law would be very unreasonable, when we were in alliance with so many princes of that religion, and that it must lessen the force of the queen's intercession in favour of the protestants that lived in the dominions of those princes. The proceeding seemed rigorous, and not suited to the gentleness that the Christian religion did so particularly recommend, and was contrary to the maxims of liberty of conscience and toleration, that were then in great vogue. It was answered that the dependence of those of that religion on a foreign jurisdiction, and at present on a foreign pretender to the crown, put them out of the case of other subjects who might differ from the established religion; since there seemed to be good reason to consider the papists as enemies, rather than as subjects. But the application was made in so effectual a manner, that the bill was let fall. And though the lords had made some steps towards such a bill, yet, since they saw what fate it was likely to have in the house of commons, instead of proceeding farther in it, they dismissed that matter with an address to the queen, that she would give orders, both to the justices of the peace and to the clergy, that a return might be made to the next session of parliament of all the papists in England.

There was another project set on foot at this time by the lord Halifax, for putting the records and the public offices of the kingdom in better order. He had, in a former session, moved the lords to send some of their number to view the records in the Tower, which were in great disorder, and in a visible decay for want of some more officers, and by the neglect of those we had. These lords, in their report, proposed some regulations for the future, which have been since followed so effectually, though at a considerable charge, by creating several new officers, that the nation will reap the benefit of all this very sensibly. But lord Halifax carried his project much further. The famous library, collected by sir Robert Cotton, and continued down in his family, was the greatest collection of manuscripts relating to the public, that perhaps any nation in Europe could show. The late owner of it, sir John Cotton, had, by his will, left it to the public, but in such words, that it was rather shut up, than made any way useful: and indeed it was to be so carefully preserved, that none could be the better for it: so that lord moved the house to entreat the queen that she would be

pleased to buy Cotton-house, which stood just between the two houses of parliament; so that some part of that ground would furnish them with many useful rooms, and there would be enough left for building a noble structure for a library. To which, besides the Cotton library and the queen's library, the royal society, who had a very good library at Gresham college, would remove and keep their assemblies there, as soon as it was made convenient for them. This was a great design, which the lord Halifax, who set it first on foot, seemed resolved to carry on till it were finished. It will set learning again on foot among us, and be a great honour to the queen's reign\*.

Thus this session of parliament came to a very happy conclusion. There was in it the best harmony within both houses, and between them, as well as with the crown, and it was the best applauded in the city of London, over the whole nation, and indeed over all Europe, of any session that I had ever seen. And when it was considered that this was the first of the three, so that we were to have two other sessions of the same members, it gave an universal satisfaction, both to our own people at home and our allies abroad, and afforded a prospect of a happy end, that should be put to this devouring war, which in all probability must come to a period, before the conclusion of the present parliament. This gave an unspeakable satisfaction to all who loved their country and their religion, who now hoped that we had in view a good and a safe peace.

The convocation sat at the same time: it was chosen as the former had been, and the members that were ill-affected were still prevailed on to come up, and to continue in an expensive but useless attendance in town. The bishops drew up an address to the queen, in which, as the two houses of parliament had done, they expressed a just indignation at the jealousies that had been spread about the nation of the danger of the church. When this was communicated to the lower house, they refused to join in it, but would give no reason for their refusal: they drew an address of their own, in which no notice was taken of these aspersions. The bishops, according to ancient precedents, required them either to agree to their address, or to offer their objections against it. They would do neither, so the address was let fall; and upon that a stop was put to all further communication between the two houses. The lower house, upon this, went on in their former practice of intermediate sessions, in which they began to enter upon business, to approve of some books, and to censure others; and they resolved to proceed upon the same grounds that factious men among them had before set up, though the falsehood of their pretensions had been evidently made to appear. The archbishop had prorogued them to the first of March. When that day came, the lower house was surprised with a protestation that was brought to the upper house by a great part of their body, who, being dissatisfied with the proceedings of the majority, and having long struggled against them, though in vain, at last drew up a protestation against them. They sent it up and down through the whole province, that they might get as many hands to it as they could; but the matter was managed with such caution, that though it was in many hands, yet it was not known to the other side till they heard it was presented to the president of the upper house. In it, all the irregular motions of the lower house were reckoned up, insisting more particularly on that of holding intermediate sessions, against all which they protested, and prayed that their protestation might be entered in the books of the upper house, so they might not be involved in the guilt of the rest. This was signed by above fifty, and the whole body was but a hundred and forty-five: some were neutral; so that hereby very near one half broke off from the rest and left them, and sat no more with them. The lower house was deliberating how to vent their indignation against these, when a more sensible mortification followed. The archbishop sent for them, and, when they came up, he read a letter to them, that was written to him by the queen, in which she took notice that the differences between the two houses were still kept up; she was much concerned to see that they were rather increased than abated: she was the more surprised at this, because it had been her constant care, as it should continue always to be, to preserve the constitution of the church as it was by law established, and to discountenance all divisions and innovations whatsoever: she was resolved to main-

\* This proposal did not succeed. The Cotton MSS. &c. are in the British Museum: the library of the Royal Society, at Somerset House The library at the British Museum was opened to the public in 1759.

tain her supremacy, and the due subordination of presbyters to bishops, as fundamental parts of it : she expected that the archbishop and bishops would act conformable to this resolution, and in so doing they should be sure of the continuance of her protection and favour, which should not be wanting to any of the clergy, as long as they were true to the constitution, and dutiful to her and their ecclesiastical superiors, and preserved such a temper as became those who were in holy orders. The archbishop, as he was required to read this to them, so he was directed to prorogue them for such a time as should appear convenient to him. They were struck with this, for it had been carried so secretly that it was a surprise to them all. When they saw they were to be prorogued, they ran very indecently to the door, and with some difficulty were kept in the room till the prorogation was intimated to them. They went next to their own house, where, though prorogued, they sat still in form, as if they had been a house, but they did not venture on passing any vote. So factious were they, and so implicitly led by those who had got an ascendant over them, that though they had formerly submitted the matters in debate to the queen, yet now, when she declared her pleasure, they would not acquiesce in it.

The session of parliament being now at an end, the preparations for the campaign were carried on with all possible dispatch. That which was most pressing was first done. Upon Stanhope's first coming over, in the beginning of January, orders were immediately issued out for sending over five thousand men, with all necessary stores, to Spain. The orders were given in very pressing terms, yet so many offices were concerned in the execution, that many delays were made ; some of these were much censured : at last they sailed in March. The fleet that had gone into the Mediterranean with king Charles, and was to return and winter at Lisbon, was detained by westerly winds longer in those seas than had been expected.

The people of Valencia seemed to hope that they were to winter in those seas, and by this they were encouraged to declare for king Charles : but they were much exposed to those who commanded in king Philip's name. All Catalonia had submitted to king Charles except Roses : garrisons were put in Gironne, Lerida, and Tortosa : and the states of that principality prepared themselves with great zeal and resolution for the next campaign, which they had reason to expect would come both early and severely upon them. There was a breach between the earl of Peterborough and the prince of Lichtenstein, whom he charged very heavily, in the king's own presence, with corruption and injustice. The matter went far, and the king blamed the earl of Peterborough, who had not much of a forbearing or forgiving temper in him. There was no method of communication with England yet settled. We did not hear from them, nor they from us, in five months ; this put them out of all hope. Our men wanted every thing, and could be supplied there with nothing. The revolt in Valencia made it necessary to send such a supply to them from Barcelona as could be spared from thence. The disgust that was taken made it advisable to send the earl of Peterborough thither, and he willingly undertook the service. He marched towards that kingdom with about fifteen hundred English and a thousand Spaniards : they were all ill equipped and ill furnished, without artillery, and with very little ammunition : but, as they marched, all the country either came in to them or fled before them. He got to Valencia without any opposition, and was received there with all possible demonstrations of joy. This gave a great disturbance to the Spanish councils at Madrid. They advised the king to begin with the reduction of Valencia : it lay nearer, and was easier come at : and by this the disposition to revolt would be checked, which might otherwise go further. But this was overruled from France, where little regard was had to the Spaniards. They resolved to begin with Barcelona : in it king Charles himself lay ; and, on taking it, they reckoned all the rest would fall.

The French resolved to send every thing that was necessary for the siege by sea, and the count of Toulouse was ordered to lie with the fleet before the place, whilst it was besieged by land. It was concerted to begin the siege in March, for they knew that if they begun it so early our fleet could not come in time to relieve it. But two great storms, that came soon one after another, did so scatter their tartanes and disable their ships of war, that as some were cast away and others were much shattered so they all lost a month's time, and

the siege could not be formed before the beginning of April. King Charles shut himself up in Barcelona, by which the people were both animated and kept in order. This gave all the allies very sad apprehensions; they feared not only the loss of the place, but of his person. Leak sailed from Lisbon in the end of March. He missed the galleons very narrowly, but he could not pursue them; for he was to lose no time, but haste to Barcelona. His fleet was increased to thirty ships of the line by the time he got to Gibraltar; but, though twenty more were following him, he would not stay, but hastened on to the relief of the place, as fast as the wind served.

At the same time the campaign was opened on the side of Portugal. The earl of Galway had full powers, and a brave army of about twenty thousand men, well furnished in all respects. He left Badajos behind him, and marched on to Alcantara. The duke of Berwick had a very small force left him to defend that frontier. It seems the French trusted to the interest they had in the court of Portugal. His troops were so bad, that he saw in one small action that he could not depend on them. He put a good garrison in Alcantara, where their best magazine was laid in. But when the earl of Galway came before the town, within three days the garrison, consisting of four thousand men, delivered up the place and themselves as prisoners of war. The Portuguese would have stopped there, and thought they had made a good campaign, though they had done no more; but the English ambassador at Lisbon went to the king of Portugal, and pressed him that orders might be immediately sent to the earl of Galway to march on: and when he saw a great coldness in some of the ministers, he threatened a present rupture if it was not done: and he continued waiting on the king till the orders were signed and sent away. Upon receipt of these, the earl of Galway advanced towards Placentia, all the country declaring for him as soon as he appeared; and the duke of Berwick still retiring before him, not being able to give the least interruption to his march.

The campaign was opened in Italy with great advantage to the French. The duke of Vendome marched into the Brescian to attack the imperialists before prince Eugene could join them, who was now come very near. He fell on a body of about twelve thousand of them, being double their number: he drove them from their posts with the loss of about three thousand men killed and taken; but it was believed there were as many of the French killed as of the imperialists. Prince Eugene came up within two days, and put all in order again. He retired to a surer post, waiting till the troops from Germany should come up. The slowness of the Germans was always fatal in the beginning of the campaign. The duke of Savoy was now reduced to great extremities. He saw the siege of Turin was designed: he fortified so many outposts, and put so good a garrison in it, that he prepared well for a long siege and a great resistance. He wrote to the queen for a further supply of 50,000*l.*, assuring her, that by that means the place should be put in so good a state, that he would undertake that all should be done which could be expected from brave and resolute men; and so careful was the lord treasurer to encourage him, that the courier was sent back the next day after he came, with credit for the money. There was some hopes of a peace, as there was an actual cessation of war in Hungary. The malcontents had been put in hopes of a great diversion of the emperor's forces on the side of Bavaria, where there was a great insurrection, provoked, as was said, by the oppression of the imperial officers, who were so accustomed to be heavy in their quarters, that when they had the pretence that they were among enemies, it may be easily believed there was much just occasion of complaint, and that they were guilty of great exactions and rapine. This looked formidably at first, and seemed to threaten a new war in those parts; but all was soon suppressed. The peasants had no officers among them, no discipline, nor magazines, and no place of strength. So they were quickly dispersed, and stricter orders were given for the better regulating the military men, though it was not expected that these would be long observed.

While matters were in this disposition abroad, the treaty for the union of the two kingdoms was brought on and managed with great solemnity. Commissions were given out for thirty-two persons of each kingdom, to meet at London on the 18th of April. Somerset House was appointed for the place of the treaty. The persons who were named to treat on the English side were well chosen: they were the most capable of managing the treaty, and

the best disposed to it, of any in the kingdom. Those who came from Scotland were not looked on as men so well affected to the design: most of them had stood out in a long and firm opposition to the revolution, and to all that had been done afterwards, pursuant to it. The nomination of these was fixed on by the dukes of Queensbury and Argyle. It was said by them, that though these objections did indeed lie against them, yet they had such an interest in Scotland, that the engaging them to be cordially for the union, would be a great means to get it agreed to in the parliament there. The Scotch had got among them the notion of a federal union, like that of the United Provinces, or of the cantons in Switzerland. But the English resolved to lose no time in the examining, or discussing, of that project, for this reason, besides many others, that as long as the two nations had two different parliaments, they could break that union whosoever they pleased, for each nation would follow their own parliament. The design was now to settle a lasting and indissoluble union between the kingdoms, therefore they resolved to treat only about an incorporating union, that should put an end to all distinctions and unite all their interests. So they at last entered upon the scheme of an entire union\*.

But now to look again into our affairs abroad. The French seemed to have laid the design of their campaign so well, that it had everywhere a formidable appearance; and, if the execution had answered their scheme, it would have proved as glorious, as it was in the conclusion fatal, to them. They reckoned the taking of Barcelona and Turin sure; and by these they thought the war, both in Spain and Italy, would be soon brought to an end. They knew they would be superior to any force that the prince of Baden could bring together on the upper Rhine: and they intended to have a great army in Flanders, where they knew our chief strength would be, to act as occasion or their other affairs should require. But how well soever this design might seem to be laid, it appeared Providence had another, which was brought to bear every where in a most wonderful manner, and in reverse to all their views. The steps of this I intend to set out rather as a meditation on the providence of God, than as a particular history of this signal year, for which I am no way furnished; besides that, if I were, it does not answer my principal design in writing.

The French lay thirty-seven days before Barcelona: of that time, twenty-two were spent in taking Mountjoy. They seemed to think there was no danger of raising the siege, and that therefore they might proceed as slowly as they pleased. The town was under such a consternation, that nothing but the king's presence could have kept them from capitulating the first week of the siege. There were some mutinies raised, and some of the magistrates were killed in them. But the king came among them on all occasions, and both quieted and animated them. Stanhope wrote, after the siege was over (whether as a courtier or not, I cannot tell, for he had now on him the character of the queen's envoy to king Charles), that the king went into all places of danger, and made all about him examples to the rest, to be hard at work and constant upon duty. After Mountjoy was taken, the town was more pressed. The earl of Peterborough came from Valencia, and was upon the hills, but could not give them any great assistance. Some few from Gironne and other places got into the

\* The commissioners, according to other authorities, met at the Cockpit, for the first time, on the 16th of April. On the part of England were the lord chancellor Cowper; lord high treasurer Godolphin; the lord president; duke of Buckinghamshire, lord privy seal; duke of Somerset; duke of Bolton; earl of Sunderland; earl of Kingston; earl of Orford; viscount Townsend; lord Wharton; lord Grey; lord Pule; lord Somers; marquis of Hartington; sir Charles Hedges and Mr. Harley, secretaries of state; Mr. Boyle; lord chief justices Holt and Trevor; Mr. Northey, attorney-general; Mr. Simon Harcourt, solicitor-general; sir John Cook, and Dr. Waller.

On the part of Scotland were the earl of Seafield, lord-chancellor; duke of Queensbury; earl of Mar; earl of Loudon; earl of Sutherland; earl of Wemyss; earl of Leven; earl of Stair; earl of Rosebury; lord Archibald Campbell; viscount Duplin; lord Ross, lord president of session; lord Justice Clerk; Mr. Francis Montgomery; sir Alexander Ogilvie; sir Patrick Johnston; sir James

Smollett; George Lockhart, of Carnwath; William Seton, of Pitmeeden; John Clark; Daniel Stewart; and Daniel Campbell.

The lord chancellor of England described the feelings that evidently actuated all the commissioners, when he said, they met, having "the general and joint good of both kingdoms solely in view;" and the lord chancellor of Scotland as succinctly described the probable results of the proposed union, by observing, "we are convinced that an union will be of great advantage to both; the protestant religion will be thereby the more firmly secured, the designs of our enemies effectually disappointed, and the riches and trade of the whole island advanced." The queen came twice to their meetings, for the purpose of encouraging and promoting the speedy progress of this great national bond of strength, which was finally effected on the 23rd of July. This will be further noticed in a future page.—Chandler's Debates, H. of Commons, iii. 474; Defoc's Hist. of the Union.

town. The French engineers performed their part with little skill and success ; those they relied most on happened to be killed in the beginning of the siege. The Levant wind was all this while so strong, that it was not possible for Leak to come up so soon as was desired to their relief.

But when their strength, as well as their patience, was almost exhausted the wind turned, and Leak with all haste sailed to them. As soon as the count of Toulouse had intelligence that he was near him, he sailed back to Toulon. Tessé, with king Philip (who was in the camp, but was not once named in any action), continued three days before Barcelona after their fleet sailed away : they could then have no hopes of carrying it, unless a storm at sea had kept our fleet at a distance. At last, on the 1st of May, O. S., the siege was raised, with great precipitation and in much disorder : their camp was left well furnished, and the sick and wounded could not be carried off.

On the day of the raising the siege, as the French army was marching off, the sun was eclipsed, and it was total in those parts. It is certain that there is no weight to be laid on such things ; yet the vulgar being apt to look on them as ominous, it was censured as a great error in Tessé not to have raised the siege a day sooner ; and that the rather because the king of France had made the sun, with a motto of *Nec pluribus Impar*, his device. King Philip made all the haste he could to Perpignan, but his army was almost ruined before he got thither. There was no manner of communication over land between Barcelona and Portugal ; so the Portuguese, doubting the issue of that siege, had no mind to engage further till they saw how it ended ; therefore they ordered their army to march aside to Ciudad Roderigo, on pretence that it was necessary to secure their frontier by taking that place : it was taken after a very short siege, and with small resistance. From thence they advanced to Salamanca. But upon the news of raising the siege of Barcelona, they went on towards Madrid ; the duke of Berwick only observing their motions and still retiring before them. King Philip went, with great expedition and a very small train, from Perpignan to Navarre, from thence he came post to Madrid ; but finding he had no army that he could trust to, the grandees being now retired and looking as so many dead men, and he seeing that the Portuguese were still advancing, sent his queen to Burgos, and followed her in a few days, carrying with him that which was valuable in the palace. And it seems he despaired ever to return thither again, since he destroyed all that could not be carried away ; in which he acted a very extraordinary part, for he did some of this with his own hand : as the gentleman, whom the earl of Galway sent over, told me was universally believed in Madrid.

The capital city being thus forsaken, the earl of Galway came to it by the end of June : he met with no resistance indeed, but with as little welcome. An army of Portuguese, with a heretic at their head, were certainly very strange sights to the Castilians, who retained all the pride, without any of the courage, of their ancestors. They thought it below them to make their submissions to any but to the king himself ; and if king Charles had come thither immediately, it was believed that the entire reduction of Spain would have been soon brought about. It is not yet certain what made him stay so long as he did at Barcelona, even from the beginning of May till near the end of July. Those about him pretended it was not fit to go to Madrid, till he was well furnished with money, to make a decent entry. Stanhope offered to furnish him with what was necessary for the journey, but could not afford a magnificent equipage for a solemn entry. King Charles wrote a very pressing letter to the duke of Marlborough, setting forth his necessities, and desiring greater supplies. I saw this letter, for the duke sent it over to the lord treasurer. But little regard was had to it, because it was suggested from many different hands that the prince of Lichtenstein was enriching himself, and keeping his king poor. Others pretended the true cause of the delay was a secret amour of that king's, at Barcelona. Whatsoever the cause of it might be, the effects have hitherto proved fatal. It was first proposed that king Charles should march through Valencia, as the nearest and much the safest way, and he came on that design as far as Tarragona. But advice being brought him there that the kingdom of Arragon was in a good disposition to declare for him, he was diverted from his first intentions, and prevailed on to go to Saragossa, where he was acknowledged by that kingdom. But he lost much time,

and more in the reputation of his arms, by delaying so long to move towards Madrid. So king Philip took heart, and came back from Burges to Madrid. The earl of Galway was very uneasy at this slow motion which king Charles made. King Philip had some more troops sent him from France, and the broken bodies of his army being now brought together, he had an army equal in numbers to the earl of Galway, and so he marched up to him; but since so much depended on the issue of an action, the earl of Galway avoided it, because he expected every day reinforcements to be brought up to him, both by king Charles and by the earl of Peterborough from Valencia; therefore, to facilitate this conjunction, he moved towards Arragon; so that Madrid was again left to be possessed by king Philip. At last, in the beginning of August, king Charles came up, but with a very inconsiderable force. A few days after, the earl of Peterborough came also with an escort rather than any strength, for he had not with him above five hundred dragoons. He was now uneasy because he could not have the supreme command; both the earl of Galway and count Noyelles being much more ancient officers than he was. But, to deliver him from the uneasiness of being commanded by them, the queen had sent him the powers of an ambassador extraordinary; and he took that character on him for a few days. His complaining so much as he did of the prince of Lichtenstein and the Germans, who were still possessed of king Charles's confidence, made him very unacceptable to that king. So he, waiting for orders from the queen, withdrew from the camp, and sailed away in one of the queen's ships to Genoa. Our fleet lay all the summer in the Mediterranean, which obliged the French to keep theirs within Toulon. Carthagena declared for king Charles, and was secured by some of our ships: the fleet came before Alicant; the seamen landed and stormed the town; the castle held out some weeks, but then it capitulated, and the soldiers by articles were obliged to march to Cadiz. Soon after that our fleet sailed out of the straits: one squadron was sent to the West Indies, another was to lie at Lisbon, and the rest were ordered home. After king Charles had joined lord Galway, king Philip's army and his looked on one another for some time, but without venturing on any action. They were near an equality, and both sides expected to be reinforced; so, in that uncertainty, neither side would put anything to hazard.

But now I turn to another and a greater scene. The king of France was assured that the king of Denmark would stand upon some high demands he made to the allies, so that the duke of Marlborough could not have the Danes, who were about ten or twelve thousand, to join him for some time; and that the Prussians, almost as many as the Danes, could not come up to the confederate army for some weeks; so he ordered the elector of Bavaria and Villeroi to march up to them, and to venture on a battle, since, without the Danes, they would have been much superior in number. The States yielded to all Denmark's demands; and the prince of Wirtemberg, who commanded their troops, being very well affected, reckoned that all being granted he needed not stay till he sent to Denmark, nor wait for their express orders, but marched and joined the army the day before the engagement. Some thought that the king of France, upon the news of the disgrace before Barcelona, that he might cover that, resolved to put all to venture, hoping that a victory would have set all to rights: this passed generally in the world. But the duke of Marlborough told me that there being only twelve days between the raising of the siege of Barcelona and this battle, the one being on the first of May, and the other on the twelfth, eight of which must be allowed for the courier to Paris, and from thence to Brabant, it seemed not possible to put things in the order in which he saw them in so short a time. The French left their baggage and heavy cannon at Judoign, and marched up to the duke of Marlborough. He was marching towards them on the same design; for, if they had not offered him battle on the twelfth, he was resolved to have attacked them on the thirteenth of May. They met near a village called Ramillies (not far from the Mehaigne) from whence the battle takes its name.

The engagement was an entire one, and the action was hot for two hours: both the French mousquetaires and the cuirassiers were there. The elector of Bavaria said it was the best army he ever beheld. But, after two hours, the French gave way every where; so it ended in an entire defeat. They lost both their camp, baggage, and artillery, as well as all that

they had left in Judoign, and in all possible confusion they passed the Dyle, our men pursuing till it was dark. The duke of Marlborough said to me, the French army looked the best of any he had ever seen; but that their officers did not do their part, nor show the courage that had appeared among them on other occasions. And when I asked him the difference between the actions at Hockstedt and at Ramillies; he said, the first battle lasted between seven and eight hours, and we lost above twelve thousand men in it; whereas the second lasted not above two hours, and we lost not above two thousand five hundred men. Orders were presently sent to the great cities, to draw the garrisons out of them, that so the French might have again the face of an army; for their killed, their deserters, and their prisoners, on this great day, were above twenty thousand men. The duke of Marlborough lost no time, but followed them close: Louvain, Mechlin, and Brussels submitted, besides many lesser places: Antwerp made a show of standing out, but soon followed the example of the rest: Ghent and Bruges did the same: in all these king Charles was proclaimed. Upon this unexpected rapidity of success, the duke of Marlborough went to the Hague, to concert measures with the States, where he stayed but a few days; for they agreed to every thing he proposed, and sent him back with full powers. The first thing he undertook was the siege of Ostend, a place famous for its long siege in the last age. The natives of the place were disposed to return to the Austrian family, and the French that were in it had so lost all heart and spirit, that they made not the resistance that was looked for. In ten days after they sat down before it, and within four days after the batteries were finished, they capitulated. From thence the confederates went to Menin, which was esteemed the best finished fortification in all those parts: it was built after the peace of Nimeguen; nothing that art could contrive was wanting to render it impregnable; and it was defended by a garrison of six thousand men, so that many thought it was too bold an undertaking to sit down before it. The French army was become considerable by great detachments brought from the Upper Rhine, where mareschal Villars was so far superior to the Germans, that, if it had not been for this revulsion of his forces, the circles of Suabia and Franconia would have been much exposed to pillage and contribution.

The duke of Vendome's conduct in Italy had so raised his character, that he was thought the only man fit to be at the head of the army in Flanders; so he was sent for, and had that command given him, with a very high compliment, which was very injurious to the other officers, since he was declared to be the single man on whom France could depend, and by whom it could be protected, in that extremity. The duke of Orleans was sent to command in Italy, and mareschal Marsin was sent with him to assist, or rather in reality to govern him. And so obstinately was the king of France set on pursuing his first designs, that notwithstanding his disgraces both in Spain and in the Netherlands, yet (since he had ordered all the preparations for the siege of Turin) he would not desist from that attempt, but ordered it to be pursued with all possible vigour. The siege of Menin was in the meanwhile carried on so successfully, that the trenches were opened on the 24th of July, and the batteries were finished on the 29th; and they pressed the place so warmly, that they capitulated on the 11th of August, and marched out on the 14th, being St. Lewis's day: four thousand men marched out of the place.

It seemed strange that a garrison, which was still so numerous, should give up, in so short a time, a place that was both so strong and so well furnished. But as the French were much sunk, so the allies were now become very expert at carrying on of sieges, and spared no cost that was necessary for dispatch. Dendermonde had been for some weeks under a blockade: this, the duke of Marlborough ordered to be turned into a formal siege. The place was so surrounded with water, that the king of France, having once begun a siege there, was forced to raise it; yet it was now so pressed, that the garrison offered to capitulate, but the duke of Marlborough would give them no other terms but those of being prisoners of war, to which they were forced to submit. Ath was next invested; it lay so inconveniently between Flanders and Brabant, that it was necessary to clear that communication, and to deliver Brussels from the danger of that neighbourhood. In a fortnight's time, it was also obliged to capitulate, and the garrison were made prisoners of war.

During those sieges, the duke of Vendome, having fixed himself in a camp that could not

be forced, did not think fit to give the duke of Marlborough any disturbance, while he lay with his army covering the sieges. The French were jealous of the elector of Bavaria's heat, and though he desired to command an army apart, yet it was not thought fit to divide the forces, though now grown to be very numerous. Deserters said the panic was still so great in the army, that there was no appearance of their venturing on any action. Paris itself was under a high consternation, and though the king carried his misfortunes with an appearance of calmness and composure, yet he was often let blood, which was thought an indication of a great commotion within, and this was no doubt the greater, because it was so much disguised. No news was talked of at that court, all was silent and solemn; so that even the duchess dowager of Orleans knew not the true state of their affairs, which made her write to her aunt, the electress of Hanover, to learn news of her.

There was another alarm given them, which heightened the disorder they were in. The queen and the States formed a design of a descent in France, with an army of about ten thousand foot and one thousand two hundred horse. The earl of Rivers commanded the land army, as Shovel did a royal fleet that was to convoy them, and to secure their landing: it was to be near Bordeaux; but the secret was then so well kept, that the French could not penetrate into it: so the alarm was general. It put all the maritime counties of France to a vast charge, and under dismal apprehensions. Officers were sent from the court to exercise them; but they saw what their militia was, and that was all their defence. I have one of the manifestos that the earl of Rivers was ordered to publish upon his landing: he declared by it, that he was come neither to pillage the country, nor to conquer any part of it; he came only to restore the people to their liberties, and to have assemblies of the states, as they had anciently, and to restore the edicts to the protestants; he promised protection to all that should come in to him. The troops were all put aboard at Portsmouth, in the beginning of July, but they were kept in our ports by contrary winds, till the beginning of October. The design on France was then laid aside; it was too late in the year for the fleet to sail into the bay of Biscay, and to lie there for any considerable time in that season. The reduction of Spain was of the greatest importance to us; so new orders were sent them to sail first to Lisbon, and there to take such measures, as the state of the affairs of Spain should require.

The siege of Turin was begun in May, and was continued till the beginning of September. There was a strong garrison within it, and it was well furnished both with provisions and ammunition. The duke of Savoy put all to the hazard: he sent his duchess with his children to Genoa, and himself, with a body of three thousand horse, was moving about Turin, from valley to valley, till that body was much diminished; for he was, as it were, hunted from place to place, by the duke of Feuillade, who commanded in the siege, and drove the duke of Savoy before him; so that all hope of relief lay in prince Eugene. The garrison made a noble resistance, and maintained their outworks long: they blew up many mines, and disputed every inch of ground with great resolution: they lost about six thousand men, who were either killed or had deserted during the siege; and their powder was at last so spent, that they must have capitulated within a day or two, if they had not been relieved. The siege cost the French very dear: they were often forced to change their attacks, and lost about fourteen thousand men before the place; for they were frequently beat from the posts that they had gained.

Prince Eugene made all the haste he could to their relief. The court of Vienna had not given due orders, as they had undertaken, for the provision of the troops that were to march through their country to join him. This occasioned many complaints and some delay. The truth was, that court was so much set on the reduction of Hungary, that all other things were much neglected, while that alone seemed to possess them. A treaty was set on foot with the malcontents there, by the mediation of England and of the States; a cessation of arms was agreed to for two months; all that belonged to that court were very uneasy while that continued; they had shared among them the confiscations of all the great estates in Hungary, and they saw that, if a peace was made, all these would be vacated, and the estates would be restored to their former owners; so they took all possible means to traverse the negotiation, and to enflame the emperor. There seemed to be some probability of

bringing things to a settlement, but that could not be brought to any conclusion during the term of the cessation ; when that was lapsed, the emperor could not be prevailed on to renew it : he recalled his troops from the Upper Rhine, though that was contrary to all his agreements with the empire. Notwithstanding all this ill management of the court of Vienna, prince Eugene got together the greatest part of those troops that he expected in the Veronese before the end of June : they were not yet all come up, but he, believing himself strong enough, resolved to advance ; and he left the prince of Hesse with a body to receive the rest, and by them to force a diversion, while he should be going on. The duke of Vendome had taken care of all the fords of the Adige, the Mincio, and the Ogio, and had cast up such lines and entrenchments every where, that he had assured the court of France it was not possible for prince Eugene to break through all that opposition, at least to do it in any time to relieve Turin. By this time the duke of Orleans was come to take the army out of Vendome's hands ; but before that duke had left it, they saw that he had reckoned wrong in all those hopes he had given the court of France, of stopping prince Eugene's march. For, in the beginning of July, he sent a few battalions over one of the fords of the Adige, where the French were well posted, and double their number ; yet they ran away with such precipitation, that they left every thing behind them. Upon that, prince Eugene passed the Adige with his whole army, and the French, in a consternation, retired behind the Mincio. After this, prince Eugene surprised the French with a motion that they had not looked for, nor prepared against, for he passed the Po : the duke of Orleans followed him, but declined an engagement ; whereupon prince Eugene wrote to the duke of Marlborough, that he felt the effects of the battle of Ramillies, even in Italy, the French seeming to be every where dispirited with their misfortunes. Prince Eugene, marching nearer the Apennines, had gained some days' march of the duke of Orleans ; upon which, that duke repassed the Po, and advanced with such haste towards Turin, that he took no care of the pass at Stradella, which might have been kept and disputed for some days. Prince Eugene found no opposition there ; nor did he meet with any other difficulty, but from the length of the march and the heat of the season, for he was in motion all the months of July and August.

In the beginning of September the duke of Savoy joined him with the small remnants of his army, and they hasted on to Turin. The duke of Orleans had got thither before them, and the place was now reduced to the last extremities. The duke of Orleans, with most of the chief officers, were for marching out of the trenches ; Marsin was of another mind, and when he found it hard to maintain his opinion, he produced positive orders for it, which put an end to the debate. The duke of Savoy saw the necessity of attacking them in their trenches : his army consisted of twenty-eight thousand men, but they were good troops ; the French were above forty thousand, and in a well fortified camp : yet after two hours' resistance, the duke of Savoy broke through, and then there was a great destruction, the French flying in much disorder, and leaving a vast treasure in their camp, besides great stores of provisions, ammunition, and artillery. It was so entire a defeat, that not above one thousand six hundred men of that great army got off in a body, and they made all the haste they could into Dauphiny. The duke of Savoy went into Turin, where it may be easily imagined he was received with much joy : the garrison, for want of powder, was not in a condition to make a sally on the French, while he attacked them ; the French were pursued as far as men wearied with such an action could follow them, and many prisoners were taken. The duke of Orleans, though he lost the day, yet gave great demonstrations of courage, and received several wounds. Mareschal Marsin fell into the enemy's hands, but died of his wounds in a few hours ; and upon him all the errors of this dismal day were cast, though the heaviest part of the load fell on Chamillard, who was then in the supreme degree of favour at court, and was entirely possessed of madam Maintenon's confidence. Feuillade had married his daughter, and, in order to the advancing him, he had the command of this siege given him, which was thus obstinately pursued till it ended in this fatal manner. The obstinacy continued, for the king sent orders, for a month together, to the duke of Orleans, to march back into Piedmont, when it was absolutely impossible ; yet repeated orders were sent, and the reason of this was understood afterwards. Madam Maintenon (it seems) took that care of the king's health and humour, that she did not suffer the ill state of his affairs to

be fully told him : he all that while was made believe, that the siege was only raised upon the advance of prince Eugene's army, and knew not that his own was defeated and ruined. I am not enough versed in military affairs to offer any judgment upon that point, whether they did well, or ill, not to go out of their camp to fight ; it is certain, that the fight was more disorderly, and the loss was much greater, by reason of their lying within their lines · in this I have known men of the trade of different opinions.

While this was done at Turin, the prince of Hesse advanced to the Mincio, which the French abandoned ; but as he went to take Castiglione, Medavi, the French general, surprised him, and cut off about two thousand of his men, upon which he was forced to retire to the Adige. The French magnified this excessively, hoping, with the noise they made about it, to balance their real loss at Turin. The prince of Vaudemont, upon the news from Turin, left the city of Milan, and retired with the small force he had to Cremona. The duke of Savoy and prince Eugene marched with all haste into the Milanese. The city of Milan was opened to them ; but the citadel and some strong places that had garrisons in them stood out some time ; yet place after place capitulated, so that it was visible all would quickly fall into their hands.

Such a succession of eminent misfortunes in one campaign, and in so many different places, was without example. It made all people conclude that the time was come, in which the perfidy, the tyranny, and the cruelty, of that king's long and bloody reign, was now to be repaid him with the same severe measure with which he had formerly treated others. But the secrets of God are not to be too boldly pried into, till he is pleased to display them to us more openly. It is certainly a year that deserves to be long and much remembered.

In the end of the campaign, in which Poland had been harassed with the continuance of the war, but without any great action, the king of Sweden, seeing that king Augustus supported his affairs in Poland by the supplies, both of men and money, that he drew from his electorate, resolved to stop that resource : so he marched through Silesia and Lusatia into Saxony. He quickly made himself master of an open country, that was looking for no such invasion, and was in no sort prepared for it, and had few strong places in it capable of any resistance. The rich town of Leipsie and all the rest of the country was, without any opposition, put under contribution. All the empire was alarmed at this : it was at first apprehended that it was set on by the French councils, to raise a new war in Germany, and to put the North all in a flame. The king of Sweden gave it out that he had no design to give any disturbance to the empire ; that he intended by this march, only to bring the war of Poland to a speedy conclusion : and it was reasonable to believe that such an unlooked for incident would soon bring that war to a crisis.

This was the state of our affairs abroad in this glorious and ever-memorable year. At home, another matter of great consequence was put in a good and promising method : the commissioners of both kingdoms sat close in a treaty till about the middle of July ; in conclusion, they prepared a complete scheme of an entire union of both nations ; some particulars being only referred, to be settled by their parliaments respectively. When every thing was agreed to, they presented one copy of the treaty to the queen, and each side had a copy, to be presented to their respective parliament, all the three copies being signed by the commissioners of both kingdoms\*. It was resolved to lay the matter first before the parliament of Scotland, because it was apprehended that it would meet with the greatest opposition there.

The union of the two kingdoms was a work of which many had quite despaired, in which number I was one ; and those who entertained better hopes, thought it must have run out into a long negotiation for several years : but beyond all men's expectation it was begun and finished within the compass of one. The commissioners brought up from Scotland, for the treaty, were so strangely chosen (the far greater number having continued in an opposition to the government ever since the revolution), that from thence many concluded that it was not sincerely designed by the ministry, when they saw such a nomination. This was a piece of the earl of Stair's cunning, who did heartily promote the design : he then thought that if

\* See the speeches of the two lord chancellors and of the queen, on this occasion, in Chandler's Debates, iii. 477.

such a number of those who were looked on as jacobites, and were popular men on that account among the disaffected there, could be so wrought on, as to be engaged in the affair, the work would be much the easier when laid before the parliament of Scotland: and in this the event showed that he took right measures. The lord Somers had the chief hand in projecting the scheme of the union, into which all the commissioners of the English nation went very easily. The advantages that were offered to Scotland in the whole frame of it were so great and so visible, that nothing but the consideration of the safety, that was to be procured by it to England, could have brought the English to agree to a project, that, in every branch of it, was much more favourable to the Scotch nation\*.

They were to bear less than the fortieth part of the public taxes; when four shillings in the pound was levied in England, which amounted to two millions, Scotland was only to be taxed at 48,000 pounds, which was eight months' assessment; they had been accustomed for some years to pay this, and they said it was all that the nation could bear. It is held a maxim, that in the framing of a government, a proportion ought to be observed between the share in the legislature and the burden to be borne; yet in return of the fortieth part of the burden, they offered the Scotch nearly the eleventh part of the legislature; for the peers of Scotland were to be represented by sixteen peers in the house of lords, and the commons by forty-five members in the house of commons; and these were to be chosen according to the methods, to be settled in the parliament of Scotland. And since Scotland was to pay customs and excises, on the same footing with England, and was to bear a share in paying much of the debt England had contracted during the war, 398,000 pounds was to be raised in England, and sent into Scotland, as an equivalent for that; and that was to be applied to the recoining the money, that all might be of one denomination and standard, and to paying the public debts of Scotland, and repaying, to their African company, all their losses with interest; upon which that company was to be dissolved, and the overplus of the equivalent was to be applied to the encouragement of manufactures. Trade was to be free all over the island, and to the plantations; private rights were to be preserved, and the judicatures and laws of Scotland were still to be continued: but all was put, for the future, under the regulation of the parliament of Great Britain; the two nations now were to be one kingdom, under the same succession to the crown, and united in one parliament. There was no provision made in this treaty, with relation to religion; for in the acts of parliament, in both kingdoms, that empowered the queen to name commissioners, there was an express limitation that they should not treat of those matters.

This was the substance of the articles of the treaty, which being laid before the parliament of Scotland, met with great opposition there. It was visible that the nobility of that kingdom suffered a great diminution by it; for though it was agreed that they should enjoy all the other privileges of the peers of England, yet the greatest of them all, which was the voting in the house of lords, was restrained to sixteen, to be elected by the rest at every new parliament; yet there was a greater majority of the nobility that concurred in voting for the union, than in the other states of that kingdom. The commissioners from the shires and boroughs were almost equally divided, though it was evident they were to be the chief gainers by it; among these the union was agreed to by a very small majority: it was the nobility that in every vote turned the scale for the union: they were severely reflected on by those who opposed it; it was said many of them were bought off, to sell their country and their birth-right: all those who adhered inflexibly to the jacobite interest, opposed every step that was made with great vehemence; for they saw that the union struck at the root of all their views and designs, for a new revolution. Yet these could not have raised or maintained so great an opposition as was now made, if the presbyterians had not been possessed with a jealousy, that the consequence of this union would be, the change of church-government among them, and that they would be swallowed up by the church of England. This took such root in many that no assurances that were offered could remove their fears: it was infused in them chiefly by the old duchess of Hamilton, who had great credit with them; and it was suggested, that she, and her son, had particular views, as hoping, that if

\* For the Scotch jacobinical narrative of the Union, see Lockhart's "Memoirs" and Swift's "Public spirit of the Whigs;" "The Examiner" may also be consulted.

Scotland should continue a separated kingdom, the crown might come into their family, they being the next in blood, after king James's posterity. The infusion of such apprehensions had a great effect on the main body of that party, who could scarcely be brought to hearken, but never to accept of the offers, that were made for securing their presbyterian government. A great part of the gentry of that kingdom, who had been often in England, and had observed the protection, that all men had from a house of commons, and the security that it procured against partial judges, and a violent ministry, entered into the design with great zeal. The opening a free trade, not only with England, but with the plantations, and the protection of the fleet of England, drew in those who understood these matters, and saw there was no other way in view to make the nation rich and considerable. Those who had engaged far into the design of Darien, and were great losers by it, saw now an honourable way to be reimbursed, which made them wish well to the union, and promote it: but that which advanced the design most effectually, and without which it could not have succeeded, was, that a considerable number of noblemen and gentlemen who were in no engagements with the court (on the contrary, they had been disengaged, and turned out of great posts, and some very lately) declared for it. These kept themselves very close and united, and seemed to have no other interest but that of their country, and were for that reason called the *squadrone* \*: the chief of these were, the marquis of Tweedale, the earls of Rothes, Roxburgh, Haddington, and Marchmont; they were in great credit, because they had no visible bias on their minds; ill usage had provoked them rather to oppose the ministry than to concur in any thing, where the chief honour would be carried away by others. When they were spoken to by the ministry, they answered coldly, and with great reserves, so it was expected they would have concurred in the opposition; and they being between twenty and thirty in number, if they had set themselves against the union, the design must have miscarried: but they continued still silent, till the first division of the house obliged them to declare, and then they not only joined in it, but promoted it effectually, and with zeal: there were great and long debates, managed on the side of the union, by the earls of Seafield and Stair for the ministry, and of the *squadrone* by the earls of Roxburgh and Marchmont; and against it by the dukes of Hamilton and Athol, and the marquis of Annandale. The duke of Athol was believed to be in a foreign correspondence, and was much set on violent methods: duke Hamilton managed the debate with great vehemence, but was against all desperate motions: he had much to lose, and was resolved not to venture all with those who suggested the necessity of running, in the old Scotch way, to extremities. The topics, from which the arguments against the union, were drawn, were the antiquity and dignity of their kingdom, which was offered to be given up, and sold: they were departing from an independent state, and going to sink into a dependence on England; what conditions soever might be now speciously offered, as a security to them, they could not expect that they should be adhered to, or religiously maintained in a parliament, where sixteen peers and forty-five commoners could not hold the balance against above an hundred peers and five hundred and thirteen commoners. Scotland would be no more considered as formerly by foreign princes and states: their peers would be precarious and elective: they magnified their crown with the other regalia so much, that since the nation seemed resolved never to suffer them to be carried away, it was provided, in a new clause added to the articles, that these should still remain within the kingdom. They insisted most vehemently on the danger that the constitution of their church must be in, when all should be under the power of a British parliament: this was pressed with fury by some who were known to be the most violent enemies to presbytery, of any in that nation; but it was done on design, to inflame that body of men by those apprehensions, and so to engage them to persist in their opposition. To allay that heat, after the general vote was carried for the union, before they entered on the consideration of the particular articles, an act was prepared for securing the presbyterian government; by which it was declared to be the only government of that church, unalterable in all succeeding times, and the maintaining it was declared to be a fundamental and essential article and condition of the union: and this act was to be made a part of the act for the union,

\* Campbell, in his "Lives of the Admirals," says, "If I might be allowed to translate this word into political English, I should call them *old whigs*."

which in the consequence of that, was to be ratified by another act of parliament in England. Thus those who were the greatest enemies to presbytery, of any in the nation, raised the clamour of the danger that form of government would be in, if the union went on, to such a height, that by their means this act was carried, as far as any human law could go, for their security: for by this they had not only all the security that their own parliament could give them, but they were to have the faith and authority of the parliament of England, it being in the stipulation made an essential condition of the union: the carrying this matter so far, was done in hopes that the parliament of England would never be brought to pass it. This act was passed, and it gave an entire satisfaction to those who were disposed to receive any, but nothing could satisfy men who made use of this, only to inflame others. Those who opposed the union, finding the majority was against them, studied to raise a storm without doors, to frighten them: a set of addresses against the union were sent round all the countries in which those who opposed it had any interest: there came up many of these in the name of counties and boroughs, and at last from parishes; this made some noise abroad, but was very little considered there, when it was known by whose arts and practices they were procured. When this appeared to have little effect, pains were taken to animate the rabble to violent attempts, both at Edinburgh and at Glasgow. Sir Patrick Johnston, lord provost of Edinburgh, had been one of the commissioners, and had concurred heartily in the design: a great multitude gathered about his house, and were forcing the doors on design, as was believed, to murder him; but guards came and dispersed them. Upon this attempt, the privy-council set out a proclamation against all such riots, and gave orders for quartering the guards within the town; but to show that this was not intended to overawe the parliament, the whole matter was laid before them, and the proceedings of the privy council were approved. No other violent attempt was made after this, but the body of the people showed so much sullenness, that probably, had any person of authority once kindled the fire, they seemed to be of such combustible matter, that the union might have cast that nation into great convulsions. These things made great impressions on the duke of Queensbury, and on some about him; he despaired of succeeding, and he apprehended his person might be in danger: one about him wrote to my lord treasurer, representing the ill temper the nation was generally in, and moved for an adjournment, that so with the help of some time and good management, those difficulties, which seemed then insuperable, might be conquered. The lord treasurer told me, his answer was, that a delay was, upon the matter, laying the whole design aside; orders were given, both in England and Ireland, to have troops ready upon call; and if it was necessary, more forces should be ordered from Flanders: the French were in no condition to send any assistance to those who might break out, so that the circumstances of the time were favourable; he desired therefore that they would go on, and not be alarmed at the foolish behaviour of some, who, whatever might be given out in their names, he believed had more wit than to ruin themselves. Every step that was made, and every vote that was carried, was with the same strength, and met with the same opposition: both parties giving strict attendance during the whole session, which lasted for three months. Many protestations were printed, with every man's vote: in conclusion, the whole articles of the treaty were agreed to, with some small variations. The earl of Stair, having maintained the debate on the last day, in which all was concluded, died the next night suddenly, his spirits being quite exhausted by the length and vehemence of the debate \*. The act passed, and was sent up to London in the beginning of February.

The queen laid it before the two houses; the house of commons agreed to it all without any opposition, so soon, that it was thought they interposed not delay and consideration enough, suitable to the importance of so great a transaction. The debates were longer and more solemn in the house of lords; the archbishop of Canterbury moved, that a bill might be brought in, for securing the church of England; by it all acts, passed in favour of our church, were declared to be in full force for ever; and this was made a fundamental and essential part of the union. Some exceptions were taken to the words of the bill, as not so

\* John Dalrymple was raised to his earldom by queen Anne, in 1703, being at the same time sworn one of her privy council. He had previously filled the offices in Scotland of lord justice clerk, lord advocate, and secretary of state.

strong as the act passed in Scotland seemed to be, since the government of it was not declared to be unalterable ; but they were judged more proper, since where a supreme legislature is once acknowledged, nothing can be unalterable. After this was over, the lords entered upon the consideration of the articles, as they were amended in Scotland ; it was pretended that here a new constitution was made, the consequence of which, they said, was the altering all the laws of England. All the judges were of opinion, that there was no weight in this ; great exceptions were taken to the small proportion Scotland was rated at, in the laying on of taxes ; and their election of peers to every new parliament, was said to be contrary to the nature of peerage. To all the objections that were offered, this general answer was made, that so great a thing as the uniting the whole island into one government, could not be compassed, but with some inconveniences ; but if the advantage of safety and union was greater than those inconveniences, then a lesser evil must be submitted to. An elective peer was indeed a great prejudice to the peers of Scotland, but since they had submitted to it, there was no just occasion given to the peers of England to complain of it. But the debate held longest upon the matters relating to the government of the church ; it was said, here was a real danger the church ran into, when so many votes, of persons tied to presbytery, were admitted to a share in the legislature. All the rigour with which the episcopal clergy had been treated in Scotland, was set forth, to shew with how implacable a temper they were set against the church of England ; yet, in return to all that, it was now demanded from the men of this church to enact, that the Scotch form should continue unalterable, and to admit those to vote among us who were such declared enemies to our constitution. Here was a plausible subject for popular eloquence, and a great deal of it was brought out upon this occasion by Hooper, Beveridge, and some other bishops, and by the earls of Rochester and Nottingham. But to all this it was answered, that the chief dangers the church was in were from France and from popery ; so that whatsoever secured us from these, delivered us from our justest fears. Scotland lay on the weakest side of England, where it could not be defended but by an army ; the collieries on the Tyne lay exposed for several miles, and could not be preserved but at a great charge, and with a great force : if a war should fall out between the two nations, and if Scotland should be conquered, yet, even in that case, it must be united to England, or kept under by an army : the danger of keeping up a standing force, in the hands of any prince, and to be modelled by him (who might engage the Scotch to join with that army and turn upon England) was visible : and any union, after such a conquest, would look like a force, and so could not be lasting ; whereas all was now voluntary. As for church matters, there had been such violence used by all sides in their turns, that none of them could reproach the others much, without having it returned upon them too justly. A softer management would lay those heats, and bring men to a better temper : the cantons of Switzerland, though very zealous in their different religions, yet were united in one general body ; the diet of Germany was composed of men of three different religions ; so that several constitutions of churches might be put under one legislature ; and if there was a danger of either side, it was much more likely that five hundred and thirteen would be too hard for forty-five, than that forty-five would master five hundred and thirteen ; especially when the crown was on their side ; and there were twenty-six bishops in the house of lords to outweigh the sixteen votes from Scotland. It was indeed said, that all in England were not zealous for the church ; to which it was answered, that by the same reason it might be concluded, that all those of Scotland were not zealous for their way, especially when the favour of the court lay in the English scale. The matter was argued, for the union, by the bishops of Oxford, Norwich, and myself, by the lord treasurer, the earls of Sunderland and Wharton, and the lords Townshend and Halifax ; but above all, by the lord Somers. Every division of the house was made with so great an inequality, that they were but twenty, against fifty that were for the union. When all was agreed to, in both houses, a bill was ordered to be brought in to enact it ; which was prepared by Harcourt with so particular a contrivance, that it cut off all debates \*. The preamble was a recital of the articles, as they were passed in Scotland,

\* Simon Harcourt, son of sir Simon Harcourt, the first college, Oxford, and the Inner Temple. From 1690 to sacrifice in Ireland for Charles the First, was of Pembroke the accession of queen Anne, he was a member of parlia-

together with the acts made in both parliaments for the security of their several churches ; and in conclusion, there came one enacting clause, ratifying all. This put those upon great difficulties, who had resolved to object to several articles, and to insist on demanding some alterations in them ; for they could not come at any debate about them ; they could not object to the recital, it being merely matter of fact ; and they had not strength enough to oppose the general enacting clause, nor was it easy to come at particulars and to offer provisos relating to them. The matter was carried on with such zeal, that it passed through the house of commons before those, who intended to oppose it, had recovered themselves out of the surprise under which the form it was drawn in had put them. It did not stick long in the house of lords, for all the articles had been copiously debated there for several days, before the bill was sent up to them : and thus this great design, so long wished and laboured for in vain, was begun, and happily ended, within the compass of nine months. The union was to commence on the first of May, and until that time, the two kingdoms were still distinct, and their two parliaments continued still to sit\*.

In Scotland, they proceeded to dispose of the sum provided to be the equivalent ; in this great partialities appeared, which were much complained of ; but there was not strength to oppose them. The ministry, and those who depended on them, moved for very extravagant allowances to those who had been employed in this last, and in the former treaty ; and they made large allotments of some public debts, that were complained of as unreasonable and unjust ; by which a great part of the sum was diverted from answering the end for which it was given. This was much opposed by the squadrone ; but as the ministers promoted it, and those who were to get by it, made all the interest they could to obtain it (some few of them only excepted, who, as became generous patriots, showed more regard to the public than to their private ends) so those who had opposed the union were not ill pleased to see this sum so misapplied ; hoping by that means, that the aversion, which they endeavoured to infuse into the nation against the union, would be much increased ; therefore they let every thing go as the ministers proposed, to the great grief of those who wished well to the public. It was resolved that the parliament of England should sit out its period, which, by the law for triennial parliaments, ran yet a year further ; it was thought necessary to have another session continued of the same men who had made this union, since they would more readily consolidate and strengthen their own work. Upon this ground, it seemed most proper that the members to represent parliament should be named by the parliament there : those who had opposed the union carried their aversion to the squadrone so far, that they concurred with the ministry in a nomination, in which very few of them were included, not above three of the peers, and fifteen commoners ; so that great and just exceptions lay against many who were nominated to represent that kingdom : all this was very acceptable to those who had opposed the union. The customs of Scotland were then in a farm, and the farmers were the creatures of the ministry, some of whom, as was believed, were sharers with them : it was visible, that since there was to be a free trade opened between Scotland and England, after the first of May, and since the duties in Scotland, laid on trade, were much lower than in England, that there would be a great importation into Scotland, on the prospect of the advantage that might be made by sending it into England. Upon such an emergency, it was reasonable to break the farm, as had been ordinarily done upon less reason, and to take the customs into a new management, that so the gain to be made in the interval might go to the public, and not be left in private hands : but the lease

ment for Abingdon, of which town he was also the recorder. Her majesty knighted him, and made him her solicitor-general in 1702, and five years after promoted him to the attorney-generalship. This office he resigned in a few months by voluntary surrender enrolled in court ; an unprecedented act, that has not been imitated. The queen recalled him to her service, made him again attorney-general, raised him to the peerage as baron of Stanton Harcourt, and made him lord chancellor in 1712, as will be noticed in another page. George the First continued to show towards him the royal patronage. No act of his lordship's life forbids his being considered as one of the

most eminent men who have filled the highest legal stations in this country. He died in 1727, aged sixty-seven. —Noble's Contin. of Grainger ; Hist. of the Harcourt Family.

\* The articles of the union, twenty-five in number, may be seen in Chandler's Debates, house of commons, iv. 16. They passed this house finally by the votes of two hundred and seventy-four, opposed by one hundred and sixteen ; in that of the peers by fifty-five, against twenty-nine ; and on the 16th of March, the queen gave to it the royal assent.

was continued in favour of the farmers. They were men of no interest of their own, so it was not doubted but that there was a secret practice in the case. Upon the view of the gain, to be made by such an importation, it was understood that orders were sent to Holland, and other places, to buy up wine, brandy, and other merchandize. And another notorious fraud was designed by some in England, who, because of the great draw-back, that was allowed for tobacco and other plantation commodities, when exported, were sending great quantities to Scotland, on design to bring them back after the first of May, that so they might sell them free of that duty; so a bill was offered to the house of commons for preventing this. While this was going on, Harley proposed the joining another clause, to this effect: that all goods that were carried to Scotland after the first of February (unless it were by the natural-born subjects of that kingdom, inhabiting in it) in case they were imported into England after the first of May, should be liable to the English duties; and of this the proof was to lie on the importer. This angered all the Scotch, who raised a high clamour upon it, and said the union was broken by it; and that such a proceeding would have very ill effects in Scotland. But the house of commons were so alarmed with the news of a vast importation, which was aggravated far beyond the truth, and by which they concluded the trade of England would greatly suffer, at least for a year or two, that they passed the bill, and sent it to the lords, where it was rejected; for it appeared plainly to them, that this was an infraction of some of the articles of the treaty. It was suggested, that a recess for some days was necessary, that so the commons might have an opportunity to prepare a bill, prohibiting all goods from being brought to England that had been sent out, only in order that the merchants might have the draw-back allowed. With this view the parliament was prorogued for a few days; but at their next meeting, the commons were more inflamed than before; so they prepared a new bill, to the same effect, only in some clauses it was more severe than the former had been; but the lords did not agree to it, and so it fell.

Thus far I have carried on the recital of this great transaction, rather in such a general view, as may transmit it right to posterity, than in so copious a narration, as an affair of such consequence might seem to deserve; it is very probable that a particular journal of the debates in the parliament of Scotland, which were long and fierce, may at some time or other be made public; but I hope this may suffice for a history. I cannot, upon such a signal occasion, restrain myself from making some reflections on the directions of Providence in this matter. It is certain the design on Darien, the great charge it put the nation to, and the total miscarriage of that project, made the trading part of that kingdom see the impossibility of undertaking any great design in trade; and that made them the more readily concur in carrying on the union. The wiser men of that nation had observed long, that Scotland lay at the mercy of the ministry, and that every new set of ministers made use of their power to enrich themselves and their creatures at the cost of the public; that the judges, being made by them, were in such a dependence, that since there are no juries allowed in Scotland in civil matters, the whole property of the kingdom was in their hands, and by their means in the hands of the ministers: they had also observed, how ineffectual it had been to complain of them at court; it put those who ventured on it to a vast charge, to no other purpose but to expose them the more to the fury of the ministry. The poor noblemen, and the poor boroughs made a great majority in their parliament, and were easily to be purchased by the court; so they saw no hopes of a remedy to such a mischief, but by an incorporating union with England. These thoughts were much quickened by the prospect of recovering what they had lost in that ill concerted undertaking of Darien; and this was so universal and so operative, that the design on Darien, which the jacobites had set on foot, and prosecuted with so much fury, and with bad intentions, did now engage many to promote the union, who, without that consideration, would have been at least neutral, if not backward in it. The court was engaged to promote the union, on account of the act of security, passed in the year 1704, which was imputed chiefly to the lord treasurer: threatenings, of impeaching him for advising it, had been often let fall, and upon that his enemies had set their chief hopes of pulling him down: for though no proof could be brought of his counsel in it, yet it was not doubted but that his advice had determined the queen to pass

it. An impeachment was a word of an odious sound, which would engage a party against him, and disorder a session of parliament; and the least ill effect it might have would be to oblige him to withdraw from business, which was chiefly aimed at. The queen was very sensible that his managing the great trust he was in, in the manner he did, made all the rest of her government both safe and easy to her; so she spared no pains to bring this about, and it was believed she was at no small cost to compass it, for those of Scotland had learned from England to set a price on their votes, and they expected to be well paid for them: the lord treasurer did also bestir himself in this matter, with an activity and zeal, that seemed not to be in his nature; and indeed, all the application, with which the court set on this affair, was necessary to master the opposition and difficulties, that sprang up in the progress of it. That which completed all was, the low state to which the affairs of France were reduced: they could neither spare men, nor money, to support their party, which otherwise they would undoubtedly have done: they had, in imitation of the exchequer-notes here in England, given out mint-bills to a great value; some said two hundred millions of livres: these were ordered to be taken by the subjects, in all payments, as money to the full value, but were not to be received in payments of the king's taxes: this put them under a great discredit, and the fund created for repaying them not being thought a good one, they had sunk seventy per cent. This created an inexpressible disorder in all payments, and in the whole commerce of France; all the methods that were proposed for raising their credit had proved ineffectual; for they remained after all at the discount of fifty-eight per cent. A court in this distress was not in a condition to spare much, to support such an inconsiderable interest, as they esteemed their party in Scotland; so they had not the assistance which they promised themselves from thence. The conjuncture of all these things meeting together, which brought this great work to a happy conclusion, was so remarkable, that I hope my laying it all in one view will be thought no impertinent digression.

This was the chief business of the session of parliament; and it was brought about, here in England, both sooner, and with less difficulty, than was expected. The grant of the supplies went on quicker than was usual. There was only one particular to which great objections were made; upon the great and early success of the former campaign, it was thought necessary to follow that with other projects, that drew on a great expense, beyond what had been estimated, and laid before the parliament. An embarkation, first designed against France, and afterwards sent to Portugal, and the extraordinary supplies that the duke of Savoy's affairs called for, amounted to about 800,000*l.* more than had been provided for by parliament. Some complained of this, and said, that if a ministry could thus run the nation into a great charge, and expect that the parliament must pay the reckoning, this might have very ill consequences. But to this it was answered, that a ministry deserved public thanks, that had followed our advantages with such vigour: if any thing was raised without necessity, or ill applied, under the pretence of serving the public, it was very reasonable to enquire into it, and to let it fall heavy on those who were in fault; but if no other exception lay to it, than because the matter could not be foreseen, nor communicated to the parliament, before those accidents happened that occasioned the expense, it was a very unjust discouragement, if ministers were to be quarrelled with for their care and zeal: so it was carried by a great majority to discharge this debt. All the other supplies, and among them the equivalent for Scotland, were given, and lodged on good funds; so that no session of parliament had ever raised so much, and secured it so well, as this had done. The session came to a happy conclusion, and the parliament to an end; but the queen, by virtue of a clause in the act of union, revived it by proclamation. Upon this, many of the Scotch lords came up, and were very well received; two of them, Montrose and Roxburgh, were made dukes in Scotland\*; some of them were made privy councillors in England; and a commission, for a new council, was sent to Scotland: there appeared soon two different parties among the Scotch; some of them moved, that there should neither be a distinct government, nor a privy council continued there, but that all should be brought under one administration, as the several counties in England were; they said, the sooner all were consolidated, in all respects, into one body,

\* The Scotch people concluded that it was the promise of a *dukery* that overcame the earl of Roxburgh's objections to the union, for he once had said "it should be prevented by the sword, if other means failed."—Grainger.

the possibility of separating and disuniting them, would be the sooner extinguished ; this was pressed with the most earnestness by those who were weary of the present ministry, and longed to see their power at an end ; but the ministry, who had a mind to keep up their authority, said, there was a necessity of preserving a show of greatness, and a form of government in those parts, both for subduing the jacobites, and that the nation might not be disgusted by too sudden an alteration of outward appearances. The court resolved to maintain the ministry there till the next session of parliament, in which new measures might be taken. Thus our affairs were happily settled at home, and the first of May was celebrated with a decent solemnity, for then the union took place.

The convocation sat this winter ; and the same temper that had for some years possessed the lower house, did still prevail among them : when the debates concerning the union were before the parliament, some in the lower house spoke very tragically on that subject : a committee was named to consider of the present danger of the church, though but a little while before they had concurred with the bishops, in a very respectful address to the queen, in which it was acknowledged, that the church was under her majesty's administration, in a safe and flourishing condition : this was carried by the private management of some aspiring men amongst them, who hoped by a piece of skill to show what they could do, that it might recommend them to farther preferment ; they were much cried out on as betrayers of their party, for carrying that address ; so to recover their credit, and because their hopes from the court were not so promising, they resolved now to act another part. It was given out, that they intended to make an application to the house of commons, against the union ; to prevent that, the queen wrote to the archbishop, ordering him to prorogue them for three weeks : by this means that design was defeated, for before the end of the three weeks, the union had passed both houses : but, when one factious design failed, they found out another ; they ordered a representation to be made to the bishops, which set forth, that ever since the submission of the clergy in Henry the Eighth's time, which was for a course of one hundred and seventy-three years, no such prorogation had ever been ordered, during the sitting of parliament ; and they besought the bishops, that from the conscientious regard which they doubted not they had, for the welfare of this church, they would use their utmost endeavours, that they might still enjoy those usages of which they were possessed, and which they had never misemployed : with this they brought up a schedule, containing, as they said, all the dates of the prorogations, both of parliament and convocation, thereby to make good their assertion : and to cover this seeming complaint of the queen's proceedings, they passed a vote, that they did not intend to enter into any debate concerning the validity of the late prorogation, to which they had humbly submitted. It was found to be a strange and a bold assertion, that this prorogation was without a precedent : their charge in the preserving their usages on the consciences of the bishops, insinuated that this was a breach made on them : the bishops saw this was plainly an attempt on the queen's supremacy ; so they ordered it to be laid before her majesty ; and they ordered also a search to be made into the records ; for though it was an undoubted maxim that nothing but a positive law could limit the prerogative, which a non-usage could not do, yet they ordered the schedule, offered by the lower house, to be compared with the records ; they found that seven or eight prorogations had been ordered, during the sitting of parliament, and there were about thirty or forty more, by which it appeared, that the convocation sat sometimes before, and sometimes after a session of parliament, and sat sometimes even when the parliament was dissolved. Upon all this the queen wrote another more severe letter to the archbishop, complaining of the clergy, for not only continuing their illegal practices, but reflecting on her late order, as without a precedent, and contrary to ancient usages ; which as it was untrue in fact, so it was an invasion of her supremacy : she had shewed much tenderness to the clergy, but if any thing of this nature should be attempted for the future, she would use means warranted by law for punishing offenders, how unwilling soever she might be to proceed to such measures. When the day came on which this was to be communicated to the lower house, the prolocutor\* had gone out of town, without so much as asking the archbishop's leave ;

\* This was dean Stanhope.

so a very small number of the clergy appeared: upon this signal contempt, the archbishop pronounced him contumacious, and referred the further censuring him to the day he set for their next meeting: the prolocutor's party pressed him to stand it out, and to make no submission; but he had sounder advice given him by some who understood the law better; so he made a full submission, with which the archbishop was satisfied: yet a party continued, with great impudence to assert, that their schedule was true, and that the queen was misinformed, though the lord chancellor, made now a peer of England, and the lord chief justice Holt, had, upon perusal of the records, affirmed to the queen, that their assertion was false, and that there were many precedents for such prorogations.

And now I must look abroad into foreign affairs. The French were losing place after place in Lombardy; Cremona, Mantua, and the city of Milan were the only places that were left in their hands: it was not possible to maintain these long without a greater force, nor was it easy to convey that to them. On the other hand, the reducing those fortresses was likely to be a work of time, which would fatigue the troops, and would bring a great charge with it; so a capitulation was proposed for delivering up those places, and for allowing the French troops a free march to Dauphiny. As soon as this was sent to Vienna, it was agreed to, without communicating it to the allies, which gave just cause of offence: it was said in excuse, that every general had a power to agree to a capitulation; so the emperor, in this case, was not bound to stay for the consent of the allies. This was true, if the capitulation had been for one single place, but this was of the nature of a treaty, being of a greater extent; by this the French saved ten or twelve thousand men, who must all have been, in a little time, made prisoners of war: they were veteran troops, and were sent into Spain, of which we quickly felt the ill effects\*.

The design was formed for the following campaign after this manner: the duke of Savoy undertook to march an army into France, and to act there as should be concerted by the allies; some proposed the marching through Dauphiny to the river of the Rhone, and so up to Lyons; but an attempt upon Toulon was thought the most important thing that could be designed; so that was settled on. Mareschal Tessé was sent to secure the passes, and to cover France on that side. This winter the prince of Baden died, little esteemed, and little lamented; the marquis of Bareith had the command of the army, on the Upper Rhine, from whom less was expected; he was so ill supported that he could do nothing. The court of Vienna was so set on the reduction of Hungary, that they thought of nothing else: the Hungarians were very numerous, but they wanted both officers and discipline: Ragotzi had possessed himself of almost all Transylvania, and the Hungarians were so alienated from the emperor, that they were consulting about choosing a new king.

The eyes of all Europe were upon the king of Sweden, who having possessed himself of Saxony, made king Augustus soon feel, that now that his hereditary dominions were in his enemy's hands, he could no longer maintain the war in Poland: so a treaty was set on foot, with such secrecy, that it was concluded before it was apprehended to be in agitation. King Augustus was only waiting for a fit opportunity to disengage himself from his Polanders, and from the Muscovites; an incident happened that had almost embroiled all again: the Polanders and Muscovites attacked a body of Swedes, at a great disadvantage, being much superior to them in number; so the Swedes were almost cut to pieces. King Augustus had no share in this, and did all that he durst venture on to avoid it: he paid dear for it, hard conditions were put on him, to which the necessity of his affairs forced him to submit. He made all the haste he safely could to get out of Poland; he resigned back their crown to them, and was contented with the empty name of king, though that seemed rather to be a reproach than any accession of honour to his electoral dignity; he thought otherwise, and stipulated that it should be continued to him: he was at mercy, for he had neither forces nor treasure: it was thought the king of Sweden treated him with too much rigour, when he had so entirely mastered him; the other was as little pitied as he deserved to be, for by many wrong practices he had drawn all his misfortunes on himself. The king of Sweden, being in the heart of Germany, in so formidable a posture, gave great apprehensions to the

\* For full information relative to the continental war, the reader may refer to Campbell's *Memoirs of Marlborough and Eugene*; *Quincy's Histoire Militaire*; *Limier's Histoire*; *Memoires de la Torres*, &c.

allies. The French made strong applications to him, but the courts of Prussia and Hanover were in such a concert with that king, that they gave the rest of the allies great assurances that he would do nothing to disturb the peace of the empire, nor to weaken the alliance : the court of France pressed him to offer his mediation for a general peace ; all the answer he gave was, that if the allies made the like application to him, he would interpose, and do all good offices in a treaty. So he refused to enter into any separate measures with France, yet the court of Vienna was under a great apprehension of his seeking matter for a quarrel with them. The czar at this time overran Poland, so that king Stanislaus was forced to fly into Saxony to the king of Sweden for protection ; both he and his queen stayed there all the winter, and a great part of this summer. The czar pressed the Polanders to proceed to the election of another king, but could not carry them to that ; so it was generally believed, that they were resolved to come to a treaty with king Stanislaus, and to settle the quiet of that kingdom, exhausted by a long and destructive war. The czar tried, if it were possible, to come to a peace with the king of Sweden, and made great offers in order to it ; but that king was implacable, and seemed resolved to pull him down, as he had done king Augustus. That king's designs were impenetrable, he advised with few, and kept himself on great reserves with all foreign ministers, whom he would not suffer to come near him, except when they had a particular message to deliver. Our court was advised by the elector of Hanover to send the duke of Marlborough to him : it was thought this would please him much, if it had no other effect ; so he went thither, but could gain no ground on him. He affected a neglect of his person, both in clothes, lodging, and diet ; all was simple, even to meanness ; nay, he did not so much as allow a decent cleanliness : he appeared to have a real sense of religion, and a zeal for it, but it was not much enlightened : he seemed to have no notion of public liberty, but thought princes ought to keep their promises religiously, and to observe their treaties punctually ; he rendered himself very acceptable to his army, by coming so near their way of living, and by his readiness to expose his own person, and to reward services done him ; he had little tenderness in his nature, and was a fierce enemy, too rough, and too savage : he looked on foreign ministers as spies by their character, and treated them accordingly ; and he used his own ministers rather as instruments to execute his orders, than as counsellors.

The court of France finding they could not prevail on him, made a public application to the pope, for his mediating a peace : they offered the dominions in Italy to king Charles, to the States a barrier in the Netherlands, and a compensation to the duke of Savoy, for the waste made in his country ; provided, that on those conditions, king Philip should keep Spain, and the West Indies. It was thought the court of Vienna wished this project might be entertained, but the other allies were so disgusted at it, that they made no steps toward it : the court of Vienna did what they could to confound the designs of this campaign ; for they ordered a detachment of twelve thousand men to march from the army in Lombardy to the kingdom of Naples. The court of England, the States, and the duke of Savoy, studied to divert this, with the warmest instances possible, but in vain : though it was represented to that court, that if the duke of Savoy could enter into Provence with a great army, that would cut off all supplies, and communication with France : so that success, in this great design, would make Naples and Sicily fall into their hands of course ; but the imperial court was inflexible ; they pretended they had given their party in Naples such assurances of an invasion, that if they failed in it, they exposed them all to be destroyed, and thereby they might provoke the whole country to become their most inveterate enemies. Thus they took up a resolution without consulting their allies, and then pretended that it was fixed, and could not be altered.

The campaign was opened very fatally in Spain : king Charles pretended, there was an army coming into Catalonia from Roussillon, and that it was necessary for him to march into that country ; the dividing a force, when the whole together was not equal to the enemy's, has often proved fatal : he ought to have made his army as strong as possibly he could, and to have marched with it to Madrid ; for the rest of Spain would have fallen into his hands, upon the success of that expedition. But he persisted in his first resolution, and marched away with a part of the army, leaving about sixteen thousand men under the earl

of Galway's command. They had eaten up all their stores in Valencia, and could subsist no longer there; so they were forced to break into Castile: the duke of Berwick came against them with an army not much superior to theirs; but the court of France had sent the duke of Orleans into Spain, with some of the best troops that they had brought from Italy, and these joined the duke of Berwick a day before the two armies engaged. Some deserters came over, and brought the earl of Galway the news of the conjunction; but they were not believed, and were looked on as spies, sent to frighten them. A council of war had resolved to venture on a battle, which the state of their affairs seemed to make necessary: they could not subsist where they were, nor be subsisted if they retired back into Valencia; so on the fourteenth of April, the two armies engaged in the plain of Almanza. The English and Dutch beat the enemy, and broke through twice; but the Portuguese gave way; upon that the enemy, who were almost double in number, both horse and foot, flanked them, and a total rout followed, in which about ten thousand were killed or taken prisoners. The earl of Galway was twice wounded; once so near the eye, that for some time it put him out of a capacity for giving orders; but at last he, with some other officers, made the best retreat they could. Our fleet came happily on that coast on the day that the battle was fought; so he was supplied from thence, and he put garrisons into Denia and Alicant, and retired to the Ebro, with about three thousand horse, and almost as many foot. The duke of Orleans pursued the victory; Valencia submitted, and so did Saragoza; so that the principality of Catalonia was all that remained in king Charles's obedience. The king of Portugal died this winter, but that made no great change in affairs there: the young king agreed to every thing that was proposed to him by the allies; yet the Portuguese were under a great consternation, their best troops being either cut off, or at that time in Catalonia.

Marshal Villars was sent to command in Alsace: he understood that the lines of Stolhoven were ill kept, and weakly manned; so he passed the Rhine, and without any loss, and very little opposition, he broke through, and seized on the artillery, and on such magazines as were laid in there. Upon this shameful disgrace, the Germans retired to Hailbron: the circle of Suabia was now open, and put under contribution; and Villars designed to penetrate as far as to Bavaria. The blame of this miscarriage was laid chiefly on the imperial court, who neither sent their quota thither, nor took care to settle a proper general for the defence of the empire. In Flanders the French army, commanded by the duke of Vendome, came and took post at Gemblours, in a safe camp; the duke of Marlborough lay at Meldorf in a more open one: both armies were about one hundred thousand strong; but the French were rather superior to that number.

In the month of June, the design upon Toulon began to appear: the queen and the States sent a strong fleet thither, commanded by sir Cloutesley Shovel; who from mean beginnings, had risen up to the supreme command; and had given many proofs of great courage, conduct and zeal, in the whole course of his life\*. Prince Eugene had the command of the imperial army that was to second the duke of Savoy in this undertaking, upon the success of which the final conclusion of the war depended. The army was not so strong as it was intended it should have been: the detachment of twelve thousand men was ordered to march to Naples; and no applications could prevail at the court of Vienna, to obtain a delay in

\* "He who enjoys a title by birth, derives it from the virtues of his ancestors, but he who raises himself into high rank by his merit creates his nobility." Sir Cloutesley Shovel was of the latter class; born of obscure parents, and apprenticed to a shoemaker, circumstances did not give a friendly aid to his aspirations for fame. Born and resident in the obscure maritime town of Clay, in Norfolk, his early companions were the fishermen of that dangerous coast, and from being an auditor and a witness of their life and doings, he probably acquired a fondness for the naval service. He ran away from the lapstone, and volunteered on board the ship commanded by sir Christopher Myngs. To know him, it appears, was a surety that you must love him; for from this early period to the latest of his life, he was open-hearted, candid, generous, and brave—qualifications that made him the idol of his brother sailors, and

beloved even by his monarchs. Sir John Narborough soon became his patron, and eventually sir Cloutesley married his widow; such are the strange occurrences in this life of incalculable changes. At the time of his death, the melancholy circumstances attending which will be mentioned hereafter, he was rear admiral of England; admiral of the white; commander-in-chief of the fleet; a member of the council of prince George, lord high admiral; elder brother of the Trinity House; a governor of Greenwich Hospital; and member of parliament for Rochester. "The duties of the husband, the father, the friend, and the relation were excellently performed by sir Cloutesley, who always gave in charity more than was expected, and was munificent to merit even beyond his princely income."—Campbell's Lives of the Admirals; Noble's Contin. of Grainger.

that expedition : there were also eight or ten thousand recruits that were promised to be sent to reinforce prince Eugene, which were stopped in Germany, for the emperor was under such apprehensions of a rupture with Sweden, that he pretended it was absolutely necessary, for his own safety, to keep a good force at home. Prince Eugene had also orders, not to expose his troops too much : by this means they were the less serviceable : notwithstanding these disappointments, the duke of Savoy, after he had for some weeks covered his true design, by a feint upon Dauphiny, by which he drew most of the French troops to that side ; as soon as he heard that the confederate fleet was come upon the coast, he made a very quick march through ways that were thought impracticable, on to the river Var, where the French had cast up such works, that it was reckoned these must have stopped his passing the river ; and they would have done it effectually, if some ships had not been sent in from the fleet, into the mouth of the river, to attack these where there was no defence ; because no attack from that side was apprehended. By this means they were forced to abandon their works, and so the passage over the river was free : upon this, that duke entered Provence, and made all the haste he could towards Toulon. The artillery and ammunition were on board the fleet, and were to be landed near the place ; so the march of the army was as little encumbered as was possible : yet it was impossible to advance with much haste in an enemy's country, where the provisions were either destroyed, or carried into fortified places, which, though they might have easily been taken, yet no time was to be lost in executing the great design ; so this retarded the march for some days : yet, in conclusion, they came before the place, and were quickly masters of some of the eminences that commanded it. At their first coming they might have possessed themselves of another, called St. Anne's hill, if prince Eugene had executed the duke of Savoy's orders ; he did it not, which raised a high discontent ; but he excused himself by showing the orders he had received, not to expose the emperor's troops. Some days were lost by the roughness of the sea, which hindered the ships from landing the artillery and ammunition. In the mean while, the troops of France were ordered to march from all parts to Toulon : the garrison within was very strong ; the forces that were on their march to Spain, to prosecute the victory of Almanza, were countermanded ; and so great a part of Villars's army was called away, that he could not make any further progress in Germany. So that a great force was, from all hands, marching to raise this siege ; and it was declared, in the court of France, that the duke of Burgundy would go and lead on the army. The duke of Savoy lost no time, but continued cannonading the place, while the fleet came up to bombard it ; they attacked the two forts that commanded the entrance into the mole with such fury, that they made themselves masters of them ; but one of them was afterwards blown up. Those within the town were not idle ; they sunk some ships in the entrance into the mole, and fired furiously at the fleet, but did them little harm : they beat the duke of Savoy out of one of his most important posts, which was long defended by a gallant prince of Saxe-Gotha ; who, not being supported in time, was cut to pieces. This post was afterwards regained, and the fleet continued for some days to bombard the place : but in the end, the duke of Savoy, whose strength had never been above thirty thousand men, seeing so great a force marching towards him, who might intercept his passage, and so destroy his whole army, and there being no hope of his carrying the place, found it necessary to march home in time ; which he did with so much order and precaution, that he got back into his own country, without any loss ; and soon after his return, he sat down before Suza, and took it in a few weeks. Our fleet did all the execution they could on the town ; their bombs set some places on fire, which they believed were magazines ; for they continued burning for many hours ; in conclusion, they sailed off. They left behind them a fleet of six-and-twenty ships in the Mediterranean, and the great ships sailed homewards. Thus this great design, on which the eyes of all Europe were set, failed in the execution, chiefly by the emperor's means : England and the States performed all that was expected of them, nor was the duke of Savoy wanting on his part ; though many suspected him, as backward, and at least cold in the undertaking \*. It was not yet perfectly under-

\* It would seem that the duke of Savoy was induced not to persist in the siege of Toulon, by the representations of the king of Sweden, who was prevailed upon to interfere by count Piper, who in his turn was acted upon

by the French and Bavarian ambassadors.—Lamberti's Memoirs ; lord Walpole of Woolerton's Answer to Lord Bolingbroke's Letters on History.

stood what damage the French sustained ; many of their ships were rendered unserviceable, and continue to be so still ; nor did they set out any fleet all the following winter ; though the affairs of king Charles in Spain were then so low, that if they could have cut off the communication by sea between Italy and Spain, they must soon have been masters of all that was left in his hands ; so that from their fitting out no fleet at Toulon, it was concluded that they could not do it. When the design upon Toulon was broken, more troops were sent into Spain : the earl of Galway did, with incredible diligence and activity, endeavour to repair the loss at Almanza, as much as was possible : the supplies and stores that he had from our fleet, put him in a capacity to make a stand ; he formed a new army, and put the strong places in the best posture he could ; Lerida was the most exposed, and so was the best looked to ; Tortosa, Tarragona, and Gironne, were also well fortified, and good garrisons were put in them. The attempt on Toulon, as it put a stop to all the motions of the French, so it gave him time to put the principality of Catalonia in a good state of defence. The duke of Orleans, being reinforced with troops from France, sat down before Lerida, in the end of September, with an army of thirty thousand men : the place was commanded by a prince of Hesse, who held out above forty days : after some time he was forced to abandon the town, and to retire into the castle ; the army suffered much in this long siege. When the besieged saw how long they could hold out, they gave the earl of Galway notice, upon which he intended to have raised the siege ; and if the king of Spain would have consented to his drawing, out of the other garrisons, such a force as might have been spared, he undertook to raise it, which was believed might have been easily done : and if he had succeeded, it would have given a new turn to all the affairs of Spain : but count Noyelles, who was well practised in the arts of flattery, and knew how much king Charles was alienated from the earl of Galway, for the honest freedom he had used with him, in laying before him some errors in his conduct, set himself to oppose this, apprehending that success in it would have raised the earl of Galway's reputation again, which had suffered a great diminution by the action of Almanza ; he said, this would expose the little army they had left them, to too great a hazard ; for if the design miscarried, it might occasion a revolt of the whole principality. Thus the humours of princes are often more regarded than their interest ; the design of relieving Lerida was laid aside. The French army was diminished a fourth part, and the long siege had so fatigued them, that it was visible, the raising it would have been no difficult performance, but the thoughts of that being given over, Lerida capitulated in the beginning of November : the Spaniards made some feeble attempts on the side of Portugal, with success, for little resistance was made ; the Portuguese excusing themselves by their feebleness, since their best troops were in Catalonia.

King Charles, finding his affairs in so ill a condition, wrote to the emperor, and to the other allies, to send him supplies, with all possible haste : Stanhope was sent over, to press the queen and the States to dispatch these the sooner. At the end of the campaign in Italy, seven thousand of the imperial troops were prepared to be sent over to Barcelona ; and these were carried in the winter, by the confederate fleet, without any disturbance given them by the French. Recruits and supplies of all sorts were sent over from England, and from the States to Portugal. But while the house of Austria was struggling with great difficulties, two pieces of pomp and magnificence consumed a great part of their treasure : an embassy was sent from Lisbon, to demand the emperor's sister for that king, which was done with an unusual and extravagant expense : a wife was to be sought for king Charles, among the protestant courts, for there was not a suitable match in the popish courts : he had seen the princess of Anspach, and was much taken with her ; so that great applications were made to persuade her to change her religion, but she could not be prevailed on to buy a crown at so dear a rate : and soon after she was married to the prince electoral of Brunswick, which gave a glorious character of her to this nation ; and her pious firmness is likely to be rewarded, even in this life, with a much better crown, than that which she rejected. The princess of Wolfenbuttle was not so firm ; so she was brought to Vienna, and some time after was married by proxy to king Charles, and was sent to Italy, in her way to Spain. The solemnity with which these matters were managed, in all this distress of their affairs, consumed a vast deal of treasure ; for such was the pride of those courts on such occasions,

that, rather than fail in a point of splendour, they would let their most important affairs go to wreck. That princess was landed at Barcelona; and the queen of Portugal the same year came to Holland, to be carried to Lisbon, by a squadron of the English fleet.

But while matters were in a doubtful state in Spain, the expedition to Naples had all the success that was expected: the detachment from Lombardy marched through the ecclesiastical state, and struck no small terror into the court of Rome, as they passed near it: it was apprehended some resistance would have been made in Naples by those who governed there under king Philip; but the in-bred hatred the Neapolitans bore the French, together with the severities of their government, had put that whole kingdom into such a disposition to revolt, that the small party which adhered to king Philip found it not advisable to offer any resistance, so they had only time enough to convey their treasure, and all their richest goods to Cayeta, and to retire thither: they reckoned they would either be relieved from France by sea, or obtain a good capitulation; or if that failed, they had some ships and galleys, in which they might hope to escape. The imperialists took possession of Naples, where they were received with great rejoicings; their ill conduct quickly moderated that joy, and very much disposed the Neapolitans to a second revolt: but upon applications, made to the courts of Vienna and Barcelona, the excesses of the imperialists, who carried their ravenous disposition with them wheresoever they went, were somewhat corrected, so that they became more tolerable. As soon as a government could be settled at Naples, they undertook the siege of Cayeta, which went on at first very slowly; so that those within seemed to apprehend nothing so much as the want of provisions; upon which they sent the few ships they had to Sicily, to bring them supplies, for all they might want: when these were sent away, the imperialists, knowing what a rich booty was lodged in the place, pressed it very hard, and, in conclusion, took it by storm; and so were masters of all the wealth that was in it; the garrison retired into the castle, but they were soon after forced to surrender, and were all made prisoners of war. It was proposed to follow this success, with an attempt upon Sicily; but it was not easy to supply Naples with bread, nor was our fleet at liberty to assist them; for they were ordered to lie on the coast of Spain, and to wait there for orders; when these arrived, they required them to carry the marquis das Minas and the earl of Galway, with the forces of Portugal, to Lisbon, which was happily performed: and the earl of Galway found the character and powers of an ambassador, lying for him there. The thoughts of attempting Sicily were therefore laid aside for this time; though the Sicilians were known to be in a very good disposition to entertain it. A small force was sent from Naples to seize on those places which lay on the coast of Tuscany, and belonged to the crown of Spain: some of them were soon taken, but Porto Longone and Port Hercole made a better resistance: this was the state of affairs in Italy and Spain all this year, and till the opening of the campaign the next year.

Villars continued in Germany, laying Suabia under heavy contributions; and very probably he would have penetrated into Bavaria, if the detachments he was ordered to send away had not so weakened his army, that he durst not venture further, nor undertake any considerable siege. While the empire was thus exposed, all men's eyes turned towards the elector of Brunswick, as the only person that could recover their affairs out of those extremities, into which they were brought: the emperor pressed him to accept of the supreme command; this was seconded by all the allies, but most earnestly by the queen and the States: the elector used all the precaution that the embarking in such a design required, and he had such assurances of assistance from the princes and circles, as he thought might be depended upon: so he undertook the command: his first care was to restore military discipline, which had been very little considered or submitted to, for some years past; and he established this with such impartial severity, that the face of affairs there was soon changed; but the army was too weak, and the season was too far spent, to enter on great designs. One considerable action happened, which very much raised the reputation of his conduct: Villars had sent a detachment of three thousand horse and dragoons, either to extend his contribution, or to seize on some important post; against these the elector sent out another body that fell upon the French, and gave them a total defeat, in which two thousand of them were cut off: soon after that, Villars retired back to Strasburg, and the campaign in those parts ended.

I will take in here a transaction that lay not far from the scene of action. There was, all this summer, a dispute at Neufchatel, upon the death of the old duchess of Nemours, in whom the house of Longueville ended; she enjoyed this principality, which, since it lay as a frontier to Switzerland, was on this occasion much considered. There were many pretenders of the French nation, the chief was the prince of Conti; all these came to Neufchatel, and made their application to the states of that country, and laid their several titles before them: the king of France seemed to favour the prince of Conti most; but yet he left it free to the states to judge of their pretensions, provided they gave judgment in favour of one of his subjects; adding severe threatenings, in case they should judge in behalf of any other pretender. The king of Prussia, as heir by his mother to the house of Châlons, claimed it as his right, which the late king had, by a particular agreement made over to him; so he sent a minister thither, to put in his claim: and the queen, and the States, ordered their ministers in Switzerland to do their best offices, both for advancing his pretensions, and to engage the cantons to maintain them; the king of Sweden wrote also to the cantons to the same effect. The allies looked on this as a matter of great consequence; since it might end in a rupture between the protestant cantons and France; for the popish cantons were now wholly theirs. After much pleading, and a long dispute, the states of the principality gave judgment in favour of the king of Prussia; the French pretenders protested against this, and left Neufchatel in a high discontent: the French ambassadors threatened that little state with an invasion, and all commerce with them was forbidden: the canton of Bern espoused their concern with a spirit and zeal that was not expected from them: they declared they were in a comburghership with them; and upon that they sent a body of three thousand men to defend them. The French continued to threaten, and Villars had orders to march a great part of his army towards them; but when the court of France saw that the cantons of Bern and Zurich were not frightened with those marches, they let the whole matter fall, very little to their honour: and so the intercourse between the French dominions and that state was again opened, and the peace of the cantons was secured. The king of Prussia engaged his honour that he would govern that state with a particular zeal, for advancing both religion and learning in it; and upon these assurances, he persuaded the bishops of England, and myself in particular, to use our best endeavours to promote his pretensions; upon which we wrote, in the most effectual manner we could, to Mons. Ostervald, who was the most eminent ecclesiastic of that state, and one of the best and most judicious divines of the age: he was bringing that church to a near agreement with our forms of worship: the king of Prussia was well set, in all matters relating to religion; and had made a great step, in order to reconcile the Lutherans and the Calvinists in his dominions, by requiring them not to preach to the people on those points, in which they differ; and by obliging them to communicate together, notwithstanding the diversity of their opinions; which is indeed the only wise and honest way to make up that breach.

The affinity of the matter leads me next to give an account of the differences between the king of Sweden and the court of Vienna. That king, after he had been a very heavy guest in Saxony, came to understand that the protestants in Silesia had their churches and the free exercise of their religion stipulated to them by the peace of Munster, and that the crown of Sweden was the guarantee for observing this. These churches were taken from them: so the king of Sweden was in justice bound to see to the observing of that article: he very readily embraced this opportunity, which had been long neglected or forgotten by his father. When this was first represented to the court of Vienna, it was treated there with much scorn; and count Zabor, one of the ministers of that court, spoke of the king of Sweden in a style that he thought furnished him with a just pretension to demand that he should be sent to him, to be punished as he thought fit. This was soon yielded; the count was sent to the king, and made such an humble submission to him as was accepted. But the demand for restoring the churches was a matter of hard digestion to a bigoted and haughty court. The king of Sweden had a great army at hand, and he threatened an immediate rupture, if this demand was not agreed to without delay. In this he was so positive, that the imperial court at last yielded, they being then in no condition to resist a warlike prince, and an army hardened by an exact discipline and the fatigues of a long war: so that every thing that was

demanded, pursuant to that article of the treaty of Munster, was agreed to be performed within a prefixed time. And upon that the king of Sweden marched his army, under the most regular discipline, through Silesia, as had been agreed, into Poland. The jesuits made great opposition to the performance of what had been stipulated; but the imperial court would not provoke a prince, who they thought was seeking a colour to break with them: so, by the day prefixed, all the churches were restored to the protestants in Silesia. Upon this, he was highly magnified, and great endeavours were again used to engage him in the alliance; but he was so set against the czar, whom he designed to dethrone, that nothing could then divert him from it: yet he so far entered into the interests of religion that, as he wrote to the king of France, desiring him not to oppose the king of Prussia in his pretensions on Neufchatel, he also wrote to the cantons, desiring them to promote and support them. The cantons, seeing those characters of zeal in him, sent a French gentleman of quality to him, the marquis de Rochegude, to let him know what regard they had to his recommendations, and to desire him to interpose his good offices with the king of France, for setting at liberty about three hundred persons, who were condemned to the galleys, and treated most cruelly in them, upon no other pretence but because they would not change their religion, and had endeavoured to make their escape out of France. He received this message with a particular civility, and immediately complied with it; ordering his minister at the court of France to make it his desire to that king, that these confessors might be delivered to him. But the ministers of France said that was a point of the king's government at home, in which he could not suffer foreign princes to meddle. He seemed sensible of this neglect, and it was hoped that, when his affairs could admit of it, he would express a due resentment of it.

To end all the affairs of Germany, for this year, at once, I must mention a quarrel, raised in Hamburgh, between some private persons, one of whom was a Lutheran minister, which created a great division in that city. One side was protected by the senate, which gave so great a disgust to the other side, that it was likely to end in a revolt against the magistrates, and a civil war within the town. And it being known that the king of Denmark had for many years had an eye on that place, the neighbouring princes apprehended that he might take advantage from those commotions, or that the weaker side might choose rather to fall under his power, than under the revenges of the adverse party. The kings of Sweden and Prussia, with the house of Brunswick, resolved therefore to send troops thither, to quiet this distraction, and to chastise the more refractory; while the emperor's ministers, together with the queen's, endeavoured to accommodate matters, without suffering them to run to extremities.

It remains that I give an account of the campaign in Flanders. The French kept close within their posts, though the duke of Marlborough often drew out his troops to see if that could provoke them; but they were resolved not to fight on equal terms; and it was not thought advisable to attempt the forcing their posts: they lay for some months looking on one another; but both armies had behind them such a safe and plentiful conveyance of provisions, that no want of any sort could oblige either side to dislodge. The duke of Vendome had orders to send detachments to reinforce mareschal Villars, in lieu of those detachments that he had been ordered to send to Provence. The duke of Savoy seemed to wonder that the confederates lay so quiet, and gave the duke of Vendome no disturbance; and that they could not, at least, oblige him to keep all his army together. At last, the duke of Marlborough decamped, and moved towards French Flanders. The French decamped about the same time, but lodged themselves again in such a safe camp, that he could not force them into any action: nor was his army so numerous as to spare a body to undertake a siege, by that means to draw them to a battle: so that the campaign was carried on there in a very inoffensive manner on both sides. And thus matters stood in the continent every where this season.

France set out no fleet this year, and yet we never had greater losses on that element. The prince's council was very unhappy in the whole conduct of the cruisers and convoys. The merchants made heavy complaints, and not without reason: convoys were sometimes denied them, and when they were granted, they were often delayed beyond the time limited

for the merchants to get their ships in readiness ; and the sailing orders were sometimes sent them so unhappily (but, as many said, so treacherously), that a French squadron was then lying in their way to intercept them. This was liable to very severe reflections ; for many of the convoys, as well as the merchant-ships, were taken. And to complete the misfortunes of our affairs at sea this year, when sir Cloutesley Shovel was sailing home with the great ships, by an unaccountable carelessness and security, he and two other capital ships ran foul upon those rocks beyond the Land's End, known by the name of the Bishop and his Clerks, and they were in a minute broken to pieces ; so that not a man of them escaped. It was dark, but there was no wind, otherwise the whole fleet had perished with them : all the rest tacked in time, and so they were saved. Thus one of the greatest seamen of the age was lost by an error in his own profession and a great misreckoning ; for he had lain by all the day before and set sail at night, believing that next morning he would have time enough to guard against running on those rocks ; but he was swallowed up within three hours after\*.

This was the state of our affairs abroad, both by sea and land. Things went at home in their ordinary channels. But the conduct, with relation to Scotland, was more unaccountable ; for, whereas it might have been reasonably expected that the management of the newly united part of this island should have been particularly taken care of, so as to give no just distaste to the Scots, nor offer handles to those who were still endeavouring to inflame that nation and to increase their aversion to the union, things were on the contrary so ordered, as if the design had been to contrive methods to exasperate the spirits of the people there. Though the management of the Scotch revenue was to fall into the lord treasurer's hands on the first of May, no care was taken to have all the commissions ready at the day, with new officers to serve in them : so that the whole trade of Scotland was stopped for almost two months, for want of orders to put it into the new course in which it was to be carried on. Three months passed before the equivalent was sent to Scotland ; and when wines and other merchandise were imported into England from thence, seizures were every where made, and this was managed with a particular affectation of roughness. All these things heightened the prejudices with which that nation had been possessed against the union. It was also known that many messages passed between Scotland and France, and that there were many meetings and much consultation among the discontented party there : a great body appeared openly for the pretended prince of Wales, and celebrated his birth-day very publicly, both at Edinburgh and in other places of the kingdom ; and it was openly talked that there was now an opportunity, that was not to be lost, of invading the kingdom, though with a small force ; and that a general concurrence from the body of that nation might be depended on. These things were done in so barefaced a manner, that, no check being given to them nor enquiry made after them by those who were in the govern-

\* Sir Cloutesley sailed from Toulon to Gibraltar, and from thence returned to England. On the 22nd of October he came into the soundings, and in the morning had ninety fathoms water. About noon he lay to, but at six in the evening he made sail again, and stood away under his courses, believing, as it is presumed, that he saw the light on Scilly. Soon after which several ships of his fleet made the signal of distress, as he himself did ; and it was with much difficulty that sir George Byng, in the Royal Ann, saved himself, having one of the rocks under his main chains. On board the Association were lost, with sir Cloutesley, his son-in-law, sir J. Norborough and James, his brother, Mr. Trelawney, eldest son of the bishop of Winchester, and several other young gentlemen of quality. It was reported that a great part of the crew were intoxicated, but none survived to tell the tale. Sir Cloutesley's body was thrown ashore the next day, and being found by some fishermen, they stripped and then buried him. The emerald ring they had taken from his finger betrayed them, and Mr. Paxton, purser of the Arundel, compelled them to disclose the place where they

had inhumed the body. It was buried with every appropriate honour in Westminster Abbey. He was fifty-seven years old when thus lost. When queen Anne appointed sir John Leake to be rear-admiral of England, she told him "she knew no man so fit to repair the loss of the ablest seaman in her service."

In the prayer prepared by archbishop Tennison, in the April of this year, imploring blessing on our fleets and armies, was an unguarded expression, beseeching God to be "the *rock* of our might." This gave occasion to the following verses, said to have been laid on sir Cloutesley's tomb :

As Lambeth pray'd, so was the dire event,  
Else we had wanted here a monument,  
That to our fleet kind Heaven would be a *rock* ;  
Nor did kind Heaven the wise petition mock :  
To what the metropolitan did pen,  
The *bishop and his clerks* replied, *Amen.*

—Campbell's Lives of the Admirals ; Noble's Contin. of Grainger.

ment, it gave occasion to many melancholy speculations. The management from England looked like a thing concerted to heighten that distemper; and the whole conduct of the fleet afforded great cause of jealousy.

But to open this, as clearly as it has yet appeared to me, I must give an account of a new scene at court. It was observed that Mr. Harley, who had been for some years secretary of state, had gained great credit with the queen, and began to set up for himself, and to act no more under the direction of the lord treasurer. There was one of the bedchamber women, who, being nearly related to the duchess of Marlborough, had been taken care of by her, together with her whole family (for they were fallen low), in a most particular manner. She brought her not only into that post, but she had treated her with such a confidence, that it had introduced her into a high degree of favour with the queen; which for some years was considered as an effect of the duchess of Marlborough's credit with her: she was also nearly related to Mr. Harley; and they two entered into a close correspondence\*. She learned the arts of a court, and observed the queen's temper, with so much application, that she got far into her heart: and she employed all her credit to establish Harley in the supreme confidence with the queen, and to alienate her affections from the duchess of Marlborough, who studied no other method of preserving her favour but by pursuing the true interest of the queen and of the kingdom. It was said that the prince was brought into the concert, and that he was made to apprehend that he had too small a share in the government, and that he was shut out from it by the great power that the duke of Marlborough and the lord treasurer had drawn into their hands. It was said, all depended on them; that the queen was only a cipher in the government, that she was in the duchess of Marlborough's hands, as her affairs were in the duke of Marlborough's hands. It was likewise talked among those who made their court to the new favourites, that there was not now a jacobite in the nation, that all were for the queen, and that, without doubt, she would reign out peacefully her whole life; but she needed not concern herself for a German family. These discourses began to break out, and gave sad thoughts to those to whom they were brought. This went on too long, little regarded: the duchess of Marlborough seemed secure of her interest in the queen, and showed no jealousy of a favour to which herself gave the first rise. This was the state of the court at the opening of the session of Parliament.

There were at that time three bishoprics vacant. Trelawny had been removed, the summer before, from Exeter to Winchester, which gave great disgust to many, he being considerable for nothing but his birth, and his interest in Cornwall†. The lord treasurer had engaged himself to him, and he was sensible that he was much reflected upon for it. But he, to soften the censure that this brought on him, had promised that, for the future, preferments should be bestowed on men well principled with relation to the present constitution, and on men of merit. The queen, without regarding this, did secretly engage herself to Dr. Blackhall for Exeter; and Chester (being at the same time void, by the death of Dr. Stratford) to sir William Dawes, for that see. These divines were in themselves men of value and worth, but their notions were all on the other side: they had submitted to the government, but they, at least Blackhall, seemed to condemn the revolution, and all that had been done pursuant to it‡. Dawes also was looked on as an aspiring man, who would

\* This was Mrs. Masham.

† Dr. Jonathan Trelawney was one of the seven bishops committed to the Tower of London by James the Second, as was noticed in a previous page. The popular feeling in his favour is recorded in this verse of a contemporary song:

"And shall Trelawney die? And shall Trelawney die?  
First thirty thousand Cornish men will know the  
reason why."

He was the youngest son of sir Jonathan Trelawney of Pelynt, in Cornwall, and received his education at Westminster-school, and Christchurch, Oxford. Destined for the church, he persisted in devoting himself to the profession, although in 1680, by the death of his brother, he

succeeded to the baronetcy. He was successively bishop of Chichester, Bristol, and Winchester, of which last-named see he died diocesan in 1721. "He was a man of polite manners, competent learning, and uncommon knowledge of the world. He was friendly and open, generous and charitable, a good companion, and a good man."—Wood's *Athenæ Oxon.*; Grainger's *Biog. Hist. of England*.

‡ Dr. Offspring Blackhall was a native of London, born in 1654, and educated at Catherine Hall, Cambridge. It is true, that he refused for two years to take the oaths of allegiance to king William and queen Mary, but he subsequently became one of his majesty's chaplains in ordinary. He was engaged in controversies with Toland and Hoadley; with the first, relative to the author of the *Icon*

set himself at the head of the tory party: so this nomination gave a great disgust\*. To qualify this a little, Patrick, the pious and learned bishop of Ely, dying at this time, the queen advanced More, from Norwich, thither; and Dr. Trimmell, a worthy person in all respects, was named for Norwich†. Yet this did not quiet the uneasiness many were under by reason of the other nominations, which seemed to flow from the queen herself, and so discovered her inclinations. To prevent the ill effects that this might have in the approaching session, some of the eminent members of the house of commons were called to a meeting with the dukes of Somerset and Devonshire. These lords assured them, in the queen's name, that she was very sensible of the services the whigs did her; and though she had engaged herself so far, with relation to those two bishoprics, that she could not recal the promises she had made, yet for the future she was resolved to give them full content. But while this was said to some whigs, Harley, and his friends St. John and Harcourt, took great pains on the leaders of the tories (in particular on Hanmer, Bromley, and Freeman), to engage them in the queen's interests; assuring them that her heart was with them, that she was weary of the tyranny of the whigs, and longed to be delivered from it. But they were not wrought on by that management; they either mistrusted it, as done only to ensnare them, or they had other views which they did not think fit to own. This double-dealing came to be known, and gave occasion to much jealousy and distrust. A little before the session was opened, an eminent misfortune happened at sea. A convoy, of five ships of the line of battle, was sent to Portugal, to guard a great fleet of merchant ships; and they were ordered to sail, as if it had been by concert, at a time when a squadron from Dunkirk had joined another from Brest, and lay in the way waiting for them. Some advertisements were brought to the admiralty of this conjunction, but they were not believed. When the French set upon them, the convoy did their part very gallantly, though the enemy were three to one: one of the ships was blown up, three of them were taken, so that only one escaped much shattered; but they had fought so long that most of the merchantmen had time to get away, and sailed on, not being pursued, and so got safe to Lisbon. This coming almost at the same time with the misfortune that happened to Shovel, the session was begun

Basilike, and with the latter concerning political obedience. He died in 1716. His sermons were published with a preface by sir William Dawes; their prominent excellence is their "plainness." The writer of the preface says, "I, who had the happiness of a long and intimate friendship with him, do sincerely declare, that, in my whole conversation, I never met with a more perfect pattern of a true christian's life, than in him."—*Biographia Britannica*.

\* Sir William Dawes is a rare instance of a man, so devoted to his sacred profession, that from it he could be tempted neither by wealth nor dignities. Indeed he looked upon the clerical office as "the highest honour that could be conferred upon him." Consequently, when, by the death of his two elder brothers, the family estates and title descended upon him, he still persisted in entering holy orders. Thus devoted to his profession, it is not surprising that he became one of its most distinguished ornaments. Being appointed to preach before queen Anne on the 30th of January, whilst the bishopric of Lincoln was vacant, he expressed opinions so contrary to those entertained by the ministry, that they prevailed with her majesty not to promote him to that see. Being informed of this, he replied, "As to that I have no concern, because my intention was never to gain a bishopric by preaching." His wife, who died many years before him, and whose eulogistic epitaph he composed, was gifted with no very serene temper. Forgetting this, sir William, with pardonable weakness, and scarcely excusable wit, said that she possessed the virtues celebrated as appearing in other women renowned in history, particularly those of the name of *Mary*, being truly *Mare pacificum*. To which one of his auditors replied, that she was so, but

not until she had become *Mare mortuum*. Sir William was born near Braintree, in Essex, during the year 1671. He was educated at Merchant Taylor's; St. John's, Oxford; and Catherine Hall, Cambridge. To the mastership of the latter he succeeded in 1696. In 1707, he was elevated to the bishopric of Chester, and in seven years after to the archbishopric of York. He died in 1754. Without being a man of brilliant talents, he maintained a high rank among the prelates of his time, by his unimpeachable integrity and conscientious conduct. In all the relations of life he was very excellent.—Life prefixed to his Works; Biog. Britannica, by Kippis; Noble's Continuation of Grainger.

† Noble describes Dr. Charles Trimmell as "one of the fourteen fortunate children of the Rev. Charles Trimmell, rector of Repton Abbots, Huntingdonshire." He was born in 1663, and being educated, as were his father and brothers, at Winchester School, and New College, Oxford, he showed his regard for these places of his early celebrity, by desiring to have his body interred near their founder, William of Wyckham. In 1688 he was appointed preacher at the Rolls Chapel, by sir John Trevor. From that time his talents became publicly known. He obtained the bishopric of Norwich, as mentioned above, and in 1721 was translated to Winchester, of which see he died the diocesan in 1723. "Warm, yet temperate; zealous, yet moderate; his piety did not prevent him gaining a perfect knowledge of mankind; nor did his assiduous performance of his clerical duties interfere with an eminent elegance of manners." The tory party even admired him, although he preached "terrible whig sermons."—Biog. Britannica. Noble's Continuation of Grainger.

with a melancholy face ; and a dispute, upon their opening, had almost put them into great disorder.

It was generally thought that though this was a parliament that had now sat two years, yet it was a new parliament, by reason it had been let fall, and was revived by a proclamation, as was formerly told : and the consequence of this was, that those who had got places were to go to a new election. Others maintained that it could not be a new parliament, since it was not summoned by a new writ, but by virtue of a clause in an act of parliament. The duke of Marlborough, upon his coming over, prevailed to have it yielded to be a new parliament ; but Harley was for maintaining it to be an old parliament. The house of commons chose the same speaker over again, and all the usual forms in the first beginning of a new parliament were observed.

These were no sooner over, than the complaints of the admiralty were offered to both houses. Great losses were made, and all was imputed to the weakness, or to a worse disposition, in some who had great credit with the prince, and were believed to govern that whole matter ; for, as they were entirely possessed of the prince's confidence, so when the prince's council was divided in their opinions, the decision was left to the prince, who understood very little of those matters, and was always determined by others. By this means they were really lord high admiral, without being liable to the law for errors and miscarriages. This council was not a legal court, warranted by any law, though they assumed that to themselves ; being counsellors, they were bound to answer only for their fidelity. The complaints were feebly managed at the bar of the house of commons\* ; for it was soon understood that not only the prince, but the queen likewise, concerned herself much in this matter : and both looked on it as a design levelled at their authority. Both whigs and tories seemed to be at first equally zealous in the matter, but by reason of the opposition of the court, all those who intended to recommend themselves to favour abated of their zeal : some were vehement in their endeavours to baffle the complaints : they had great advantages from the merchants managing their complaints but poorly ; some were frightened, and others were practised on, and were carried even to magnify the conduct of the fleet, and to make excuses for all the misfortunes that had happened. That which had the chief operation on the whole tory party was, that it was set round among them, that the design of all these complaints was to put the earl of Orford again at the head of the fleet : upon which they all changed their note, and they, in concurrence with those who were in offices, or pretended to them, managed the matter so that it was let fall, very little to their honour. Unkind remarks were made on some who had changed their conduct, upon their being preferred at court ; but the matter was managed with more zeal and courage in the house of lords, both whigs and tories concurring in it.

A committee was appointed to examine the complaints : they called the merchants who had signed the petition before them, and treated them, not with the scorn that was very indecently offered them by some of the house of commons, but with great patience and gentleness : they obliged them to prove all their complaints by witnesses upon oath. In the prosecution of the enquiry, it appeared, that many ships of war were not fitted out to be put to sea, but lay in port neglected, and in great decay ; that convoys had been often flatly denied the merchants, and that when they were promised, they were so long delayed, that the merchants lost their markets, were put to great charge, and, when they had perishable goods, suffered great damage in them. The cruisers were not ordered to proper stations in the Channel ; and when convoys were appointed, and were ready to put to sea, they had not their sailing orders sent them till the enemies' ships were laid in their way, prepared to fall on them, which had often happened. Many advertisements, by which those misfortunes might have been prevented, had been offered to the admiralty, but had not only been neglected by them, but those who offered them had been ill treated for doing it. The committee made report of all this to the house of lords : upon which, the lord treasurer moved

\* Burnet, with more propriety, would have said the complaints were "unsuccessfully" managed. For the journals of the house show that Mr. Heathcote and Mr. Dawson, two Russia merchants, charged the managers of the navy with fraud, malice, and ignorance. Admiral Churchill was particularly inculpated.

that a copy of the report might be sent to the lord admiral, which was done, and in a few days an answer was sent to the house, excusing, or justifying the conduct, in all the branches of it. The chief foundation of the answer was, that the great fleets which were kept in the Mediterranean obliged us to send away so many of our ships and seamen thither, that there was not a sufficient number left to guard all our trade, while the enemy turned all their forces at sea into squadrons for destroying it; and that all the ships, that could be spared from the public service abroad, were employed to secure the trade: the promise of convoys had been often delayed, by reason of cross winds and other accidents, that had hindered the return of our men of war longer than was expected, they being then abroad convoying other merchant ships: and it was said that there was not a sufficient number of ships for cruizers and convoys both. The paper ended with some severe reflections on the last reign, in which great sums were given for the building of ships, and yet the fleet was at that time much diminished, and four thousand merchant ships had been taken during that war. This was believed to have been suggested by Mr. Harley, on design to mortify king William's ministry. Upon reading this answer, a new and a fuller examination of the particulars was again resumed by the same committee, and all the allegations in it were exactly considered. It appeared that the half of those seamen that the parliament had provided for were not employed in the Mediterranean, that many ships lay idle in port, and were not made use of; and that in the last war, in which it appeared there were more seamen, though not more ships, employed in the Mediterranean than were now kept there, yet the trade was so carefully looked after by cruizers and convoys, that few complaints were then made; and as to the reflections made on the last reign, it was found that not half the sum that was named was given for the building of ships; and that instead of the fleet's being diminished during that war, as had been affirmed, it was increased by above forty ships; nor could any proof be given that four thousand ships were taken during that war. All the seamen who were then taken and exchanged did not exceed fifteen thousand, and in the present war eighteen thousand were already exchanged; and we had two thousand still remaining in our enemies' hands: so much had the prince been imposed on in that paper that was sent to the lords in his name.

When the examination was ended, and reported to the house, it was resolved to lay the whole matter before the queen in an address; and then the tories discovered the design that they drove at; for they moved in the committee that prepared the address, that the blame of all the miscarriages might be laid on the ministry, and on the cabinet council. It had been often said, in the house of lords, that it was not intended to make any complaint of the prince himself; and it not being admitted that his council was of a legal constitution, the complaining of them would be an acknowledging their authority; therefore the blame could be laid regularly no where but on the ministry. This was much pressed by the duke of Buckingham, the earl of Rochester, and the lord Haversham. But to this it was answered, by the earl of Orford, the lord Somers, and the lord Halifax, that the house ought to lay before the queen only that which was made out before them upon oath; and therefore, since, in the whole examination, the ministry and the cabinet council were not once named, they could offer the queen nothing to their prejudice. Some of the things complained of fell on the navy board, which was a body acting by a legal authority. The lords ought to lay before the queen such miscarriages as were proved to them, and leave it to her to find out on whom the blame ought to be cast. So far was the ministry from appearing to be in fault, that they found several advertisements were sent by the secretaries of state to the Admiralty, that, as appeared afterwards, were but too well grounded, yet these were neglected by them; and that which raised the clamour the higher was, that during the winter, there were no cruizers lying in the Channel; so that many ships which had run through all dangers at sea were taken in sight of land, for the privateers came up boldly to our ports. All this was digested into a full and clear address, laid by the house before the queen. There was a general answer made to it, giving assurances that the trade should be carefully looked to; but nothing else followed upon it; and the queen seemed to be highly offended at the whole proceeding. At this time an inquiry likewise into the affairs of Spain was begun in both houses.

The earl of Peterborough had received such positive orders recalling him, that though he delayed as long as he could, yet at last he came home in August. But the queen, before she would admit him into her presence, required of him an account of some particulars in his conduct, both in military matters, in his negotiations, and in the disposal of the money remitted to him. He made such general answers as gave little satisfaction; but he seemed to reserve the matter to a parliamentary examination, which was entered upon by both houses. All the tories magnified his conduct, and studied to detract from the earl of Gallway; but it was thought that the ministry were under some restraints, with relation to the earl of Peterborough, though he did not spare them, which gave occasion to many to say they were afraid of him, and durst not provoke him. The whigs, on the other hand, made severe remarks on his conduct. The complaints that king Charles made of him were read, upon which he brought such a number of papers and so many witnesses to the bar to justify his conduct, that, after ten or twelve days spent wholly in reading papers and in hearing witnesses, both houses grew equally weary of the matter; so, without coming to any conclusion, or to any vote, they let all that related to him fall: but that gave them a handle to consider the present state of affairs in Spain. It was found that we had not above half the troops there that the parliament had made provision for: and that not above half the officers that belonged to those bodies served there. This gave the house of commons a high distaste, and it was hoped by the tories that they should have carried the house to severe votes and warm addresses on that head; which was much laboured by them, in order to load the ministry. In this Harley and his party were very cold and passive, and it was generally believed that the matter was privately set on by them. But the court sent an explanation of the whole matter to the house, by which it appeared, that though by death and desertion the number of the troops there was much diminished, yet the whole number provided, or at least very near it, was sent out of England. The service in Spain was much decried, and there was good reason for it; things there could not be furnished, but at excessive rates, and the soldiers were generally ill used in their quarters. They were treated very unkindly, not by king Charles, but by those about him, and by the bigotted Spaniards.

During these debates, severe things were said in general of the conduct of affairs in both houses. It was observed, that a vast army was well supplied in Flanders, but that the interest of the nation required that Spain should be more considered. It was moved in both houses that the emperor should be earnestly applied to, to send prince Eugene into Spain: complaints were also made of the duke of Marlborough, as continuing the war, though, at the end of the campaign of 1706, the French had offered to yield up Spain and the West Indies; but that was a false suggestion. All these heats in the house, after they had got this vent, were allayed. The queen assured them all past errors should be redressed for the future; and with repeated importunities she pressed the emperor to send prince Eugene to Spain. That court delayed to comply in this particular, but sent count Staremburg thither, who had indeed acquired a very high reputation. The queen entered also into engagements with the emperor, that she would transport, pay, and furnish, all the troops that he could spare for his brother's service. These steps quieted the discontent the house had expressed upon the ill conduct of affairs in Spain; but upon Stanhope's coming over, he gave a better prospect of affairs there; and he found a readiness to agree to all the propositions that he was sent over to make. All this while an act was preparing, both for a better security to our trade by cruizers and convoys, and for the encouraging privateers, particularly in the West Indies and in the South Sea. They were to have all they could take entirely to themselves: the same encouragement was also given to the captains of the queen's ships, with this difference, that the captains of privateers were to divide their capture according to agreements made among themselves; but they left the distribution of prizes, taken by men of war, to the queen, who, by proclamation, ordered them to be divided into eight shares; of which the captain was to have three, unless he had a superior officer over him, in which case the commodore was to have one of the three; the other five parts were to be distributed equally among the officers and mariners of the ships, put in five different classes. All the clauses that the merchants desired to encourage privateers were readily granted, and it was

hoped that a great stock would be raised to carry on this private war. This passed without opposition, all concurring in it.

But as to other matters, the tories discovered much ill humour against the ministry, which broke out on all occasions ; and the jealousies with which the whigs were possessed made them as cold as the others were hot. This gave the ministers great uneasiness : they found Mr. Harley was endeavouring to supplant them at court, and to heighten the jealousies of the whigs ; for he set it about among the tories, as well as among the whigs, that both the duke of Marlborough and the lord treasurer were as much inclined to come into measures with the tories, as the queen herself was. This broke out, and was likely to have had very ill effects, it had almost lost them the whigs, though it did not bring over the tories.

At this time two discoveries were made, very unlucky for Mr. Harley. Tallard wrote often to Chamillard, but he sent his letters open to the secretary's office, to be perused and sealed up, and so to be conveyed by the way of Holland : these were opened, upon some suspicion in Holland, and it appeared that one in the secretary's office put letters in them, in which, as he offered his service to the courts of France and St. Germains, so he gave an account of all transactions here : in one of these he sent a copy of the letter that the queen was to write, in her own hand, to the emperor ; and he marked what parts of the letter were drawn by the secretary, and what additions were made to it by the lord treasurer. This was the letter by which the queen pressed the sending prince Eugene into Spain, and this, if not intercepted, would have been at Versailles many days before it could reach Vienna. He, who sent this, wrote that by this they might see what service he could do them, if well encouraged. All this was sent over to the duke of Marlborough, and upon search it was found to be written by one Gregg, a clerk, whom Harley had not only entertained, but had taken into a particular confidence, without enquiry into the former parts of his life ; for he was a vicious and a necessitous person, who had been secretary to the queen's envoy in Denmark, but was dismissed by him for those his ill qualities. Harley had made use of him to get him intelligence, and he came to trust him with the perusal, and the sealing up, of the letters which the French prisoners here in England sent over to France : and by that means he got into the method of sending intelligence thither. He, when seized on, either upon remorse or the hopes of pardon, confessed all, and signed his confession : upon that he was tried ; he pleaded guilty, and was condemned as a traitor, for corresponding with the queen's enemies. At the same time Valiere and Bara, whom Harley had employed, as his spies, to go often over to Calais, under the pretence of bringing him intelligence, were informed against, as spies employed by France to get intelligence from England, who carried over many letters to Calais and Boulogne, and, as was believed, gave such information of our trade and convoys, that, by their means, we had made our great losses at sea. They were often complained of upon suspicion, but they were always protected by Harley ; yet the presumptions against them were so violent, that they were at last seized on and brought up prisoners. These accidents might make Harley more earnest to bring about a change in the conduct of affairs, in which he relied on the credit of the new favourite. The duke of Marlborough and the lord treasurer, having discovered many of his practices, laid them before the queen. She would believe nothing that was suggested to his prejudice. She denied she had given any authority for carrying messages to the tories ; but would not believe that he or his friends had done it, nor would she enter into any examination of his ill conduct, and was uneasy when she heard it spoken of. So these lords wrote to the queen, that they could serve her no longer, if he was continued in that post ; and on the Sunday following, when they were summoned to a cabinet council, they both went to the queen, and told her they must quit her service, since they saw she was resolved not to part with Harley. She seemed not much concerned at the lord Godolphin's offering to lay down, and it was believed to be a part of Harley's new scheme to remove him ; but she was much touched with the duke of Marlborough's offering to quit, and studied, with some soft expressions, to divert him from that resolution ; but he was firm and she did not yield to them. So they both went away, to the wonder of the whole court. Immediately after, the queen went to the cabinet council, and Harley opened some matters relating to foreign affairs. The whole board was very uneasy : the duke of Somerset said he did not see how they

could deliberate on such matters, since the general was not with them ; he repeated this with some vehemence, while all the rest looked so cold and sullen that the cabinet council was soon at an end ; and the queen saw that the rest of her ministers and the chief officers were resolved to withdraw from her service, if she did not recall the two that had left it. It was said that she would have put all to the hazard, if Harley himself had not apprehended his danger and resolved to lay down. The queen sent the next day for the duke of Marlborough, and, after some expostulations, she told him Harley should immediately leave his post, which he did within two days. But the queen seemed to carry a deep resentment of his and the lord Godolphin's behaviour on this occasion ; and though they went on with her business, they found they had not her confidence. The duchess of Marlborough did, for some weeks, abstain from going to court, but afterwards that breach was made up in appearance, though it was little more than an appearance. Both houses of parliament expressed a great concern at this rupture in the court, and apprehended the ill effects it might have : the commons let the bill of supply lie on the table, though it was ordered for that day ; and the lords ordered a committee to examine Gregg and the other prisoners. As Harley laid down, both Harcourt, then attorney-general, Mansel, the comptroller of the household, and St. John, the secretary of war, went and laid down with him. The queen took much time to consider how she should fill some of these places ; but Mr. Boyle, uncle to the earl of Burlington, was presently made secretary of state\*.

The lords who were appointed to examine Gregg could not find out much by him ; he had but newly begun his designs of betraying secrets, and he had no associates with him in it. He told them that all the papers of state lay so carelessly about the office, that every one belonging to it, even the door-keepers, might have read them all. Harley's custom was to come to the office late on post-nights, and after he had given his orders and written his letters, he usually went away, and left all to be copied out when he was gone. By that means he came to see every thing, in particular the queen's letter to the emperor. He said, he knew the design on Toulon in May last, but he did not discover it ; for he had not entered on his ill practices till October : this was all he could say. By the examination of Valiere and Bara, and of many others who lived about Dover and were employed by them, a discovery was made of a constant intercourse they were in with Calais under Harley's protection : they often went over with boats full of wool, and brought back brandy, though both the import and export were severely prohibited : they, and those who belonged to the boats carried over by them, were well treated on the French side, at the governor's house, or at the commissary's ; they were kept there till their letters could be sent to Paris, and till returns could be brought back, and were all the while upon free cost. The order that was constantly given them was, that if an English or Dutch ship came up to them, they should cast their letters into the sea ; but that they should not do it when French ships came up to them : so they were looked on by all on that coast as the spies of France. They used to get what information they could, both of merchant ships and of the ships of war that lay in the downs ; and upon that they usually went over, and it happened that soon after some of those ships were taken. These men, as they were papists, so they behaved themselves very insolently, and boasted much of their power and credit. Complaints had been often made of them, but they were always protected ; nor did it appear that they ever brought any information of importance to Harley but once, when, according to what they swore, they told him that Fourbin was gone from Dunkirk to lie in wait for the Russian fleet, which proved to be true : he both went to watch for them, and he took a great part of the fleet. Yet, though this was the single piece of intelligence that they ever brought, Harley took so little notice of it, that he gave no advertisement to the admiralty concerning it. This particular excepted, they only brought over common news and the Paris gazettes. These examinations lasted for some weeks ; when they were ended, a full report was made of them to the house of lords ; and they ordered the whole report, with all the examinations, to be

\* He was then chancellor of the exchequer, and particularly trusted by the lord treasurer. Mr. Speaker Onslow gives him a very high character for disinterestedness, talents, and modesty. Yet in the hour of need he

was firm and manly. Such a character naturally gave him great influence and the above authority says, it was far beyond what any other public person acquired in their times.—Oxford ed. of this work.

laid before the queen in an address, in which they represented to her the necessity of making Gregg a public example: upon which he was executed. He continued to clear all other persons of any accession to his crimes, of which he seemed very sensible, and died much better than he had lived\*.

A very few days after the breach that had happened at court, we were alarmed from Helland with the news of a design, of which the French made then no secret, that they were sending the pretended prince of Wales to Scotland, with a fleet and an army, to possess himself of that kingdom. But before I go further I will give an account of all that related to the affairs of that part of the island.

The members sent from Scotland to both houses of parliament were treated with very particular marks of respect and esteem; and they were persons of such distinction that they very well deserved it. The first thing proposed in the house of commons, with relation to them, was to take off the stop that was put on their trade. It was agreed unanimously to pray the queen, by an address, that she would give order for it; some debate arising only whether it was a matter of right, or of favour. Harley pressed the last, to justify those proceedings, in which he himself had so great a share, as was formerly set forth, and on which others made severe reflections; but, since all agreed in the conclusion, the dispute concerning the premises was soon let fall. After this, a more important matter was proposed, concerning the government of Scotland, whether it should continue in a distinct privy council, or not. All the court was for it: those who governed Scotland desired to keep up their authority there, with the advantage they made by it; and they gave the ministers of England great assurances that, by their influence, elections might be so managed as to serve all the ends of the court; but they said, that, without due care, these might be carried so as to run all the contrary way. This was the secret motive, yet this could not be owned in a public assembly; so that which was pretended was, that many great families in Scotland, with the greatest part of the Highlanders, were so ill affected that, without a watchful eye, ever intent upon them, they could not be kept quiet: it lay at too great a distance from London to be governed by orders sent from thence. To this it was answered, that by the circuits of the justiciary courts, and by justices of peace, that country might be well governed, notwithstanding its distance, as Wales and Cornwall were. It was carried, upon a division, by a great majority, that there should be only one privy council for the whole island. When it was sent up to the lords, it met with a great opposition there: the court stood alone: all the tories and the much greater part of the whigs were for the bill. The court, seeing the party for the bill so strong, was willing to compound the matter; and whereas, by the bill, the council of Scotland was not to sit after the first of May, the court moved to have it continued to the first of October. It was visible that this was proposed only in order to the managing elections for the next parliament; so the lords adhered to the day prefixed in the bill. But a new debate arose about the power given by the bill to the justices of peace, which seemed to be an encroachment on the jurisdiction of the lords regalities, and of the hereditary sheriffs and stewards, who had the right of trying criminals, in the first instance, for fourteen days' time; yet it was ordinary, in the cases of great crimes and riots, for the privy council to take immediate cognizance of them, without any regard to the fourteen days: so, by this act, the justices of peace were only empowered to do that which the privy council usually did: and, except the occasion was so great as to demand a quick dispatch, it was not to be doubted but that the justices of peace would have great regard to all private rights; yet, since this had the appearance of breaking in upon private rights, this was much insisted on by those who hoped, by laying aside these powers given to the justices of the peace, to have gained the main point of keeping up a privy council in Scotland; for all the Scotch ministers said, the country would be in great danger, if there were not a supreme government still kept up in it. But it seemed an absurd thing, that there should be a different administration where there was but one legislature. While Scotland

\* He most fully acquitted Harley; and this statesman, it appears, with commendable kindness, allowed the widow fifty pounds annually out of his private purse. Gregg delivered to the clergyman, at the time of his ex-

cution, a paper, exculpatory of those who were suspected of being concerned with him.—Oxford ed. of this work; Ralph's Answer to the Duchess of Marlborough; Nos. 32 and 40 of the Examiner, written by Swift.

had an entire legislature within itself, the nation assembled in parliament could procure the correction of errors in the administration: whereas, now that it was not a tenth part of the legislative body, if it was still to be kept under a different administration, that nation could not have strength enough to procure a redress of its grievances in parliament, so they might come to be subdued and governed as a province. And the arbitrary way in which the council of Scotland had proceeded ever since king James the First's time, but more particularly since the restoration, was fresh in memory, and had been no small motive to induce the best men of that nation to promote the union, that they might be delivered from the tyranny of the council: and their hopes would be disappointed, if they were still kept under that yoke. This point was in conclusion yielded, and the bill passed, though to the great discontent of the court. There was a new court of exchequer created in Scotland, according to the frame of that court in England: special acts were made for the elections and the returns of the representatives in both houses of parliament: and such was the disposition of the English to oblige them, and the behaviour of the Scots was so good and discreet, that every thing that was proposed for the good of their country was agreed to; both whigs and tories vied with one another, who should show most care and concern for the welfare of that part of Great Britain.

On the twentieth of February, which was but a few days after the act, dissolving the council in Scotland, had passed, we understood there was a fleet prepared in Dunkirk, with about twelve battalions and a train of all things necessary for a descent in Scotland: and a few days after, we heard that the pretended prince of Wales was come from Paris, with all the British and Irish that were about him, in order to his embarkation. The surprise was great, for it was not looked for, nor had we a prospect of being able to set out in time a fleet able to deal with theirs, which consisted of twenty-six ships, most of them of above forty guns. But that Providence (which has, on all occasions, directed matters so happily for our preservation) did appear very signally in this critical conjuncture. Our greatest want was of seamen to man the fleet, for the ships were ready to be put to sea: this was supplied by several fleets of merchant ships that came home at that time with their convoys. The flag-officers were very acceptable to the seamen, and they bestirred themselves so effectually, that, with the help of an embargo, there was a fleet of above forty ships got ready in a fortnight's time, to the surprise of all at home, as well as abroad. These stood over to Dunkirk just as they were embarking there. Upon the sight of so great a fleet, Fourbin, who commanded the French fleet, sent to Paris for new orders. He himself was against venturing out, when they saw a superior fleet ready to engage, or to pursue, them. The king of France sent positive orders to prosecute the design. So Fourbin (seeing that our fleet, after it had showed itself to them, finding the tides and sea run high, as being near the equinox, had sailed back into the Downs) took that occasion to go out of Dunkirk on the eighth of March: but contrary winds kept him on that coast till the eleventh, and then he set sail with a fair wind. Our admiral, sir George Byng, came over again to watch his motions; and as soon as he understood that he had sailed, which was not till twenty hours after, he followed him. The French designed to have landed in the Frith, but they outsailed their point a few leagues; and, by the time that they had got back to the north side of the Frith, Byng came to the south side of it, and gave the signal for coming to an anchor. This was heard by Fourbin: he had sent a frigate into the Frith to give signals, which it seems had been agreed on, but no answers were made. The design was to land near Edinburgh, where they believed the castle was in so bad a condition, and so ill provided, that it must have surrendered upon summons; and they reckoned, that upon the reputation of that, the whole body of the kingdom would have come in to them. But when Fourbin understood, on the thirteenth of March, that Byng was so near him, he tacked, and would not stay to venture an engagement. Bing pursued him with all the sail that he could make, but the French stood out to sea: there was some firing on the ships that sailed the heaviest, and the Salisbury, a ship taken from us, and then their vice-admiral, was engaged by two English ships, and taken without any resistance\*. There were about five hundred landmen on board her,

\* There is no doubt but that there was an extensive plot in Scotland to rise in favour of the pretender as soon as the French forces landed.—(Colonel Hooke's Memoirs &c., published in 1760.) The affairs of Scotland were

with some officers and persons of quality ; the chief of these were the lord Griffin and the earl of Middleton's two sons. Bing (having lost sight of the French, considering that the Frith was the station of the greatest importance, as well as safety, and was the place where they designed to land) put in there, till he could hear what course the French steered. The tides ran high, and there was a strong gale of wind. Upon the alarm of the intended descent, orders were sent to Scotland to draw all their forces about Edinburgh. The troops that remained in England were ordered to march to Scotland, and the troops in Ireland were ordered to march northward, to be ready when called for ; there were also twelve battalions sent from Ostend under a good convoy, and they lay at the mouth of the Tyne till further orders. Thus all preparations were made to dissipate that small force. But it appeared that the French relied chiefly on the assistance that they expected would have come in to them upon their landing. Of this they seemed so well assured, that the king of France sent instructions to his ministers in all the courts that admitted of them, to be published every where, that the pretended prince being invited by his subjects, chiefly those of Scotland, to take possession of the throne of his ancestors, the king had sent him over at their desire, with a fleet and army to assist him : that he was resolved to pardon all those who should come in to him, and he would trouble none upon the account of religion : upon his being re-established, the king would give peace to the rest of Europe. When these ministers received these directions, they had likewise advice sent them, which they published both at Rome, Venice, and in Switzerland, that the French had, before this expedition was undertaken, sent over some ships with arms and ammunition to Scotland ; and that there was already an army on foot there, that had proclaimed this pretended prince king. It was somewhat extraordinary to see such eminent falsehoods published all Europe over. They also affirmed that hostages were sent from Scotland to Paris, to secure the observing the engagements they had entered into : though all this was fiction and contrivance.

The States were struck with great apprehensions, so were all the allies ; for though they were so long accustomed to the cunning practices of the court of France, yet this was an original ; and therefore it was generally concluded that so small an army, and so weak a fleet would not have been sent, but upon great assurances of assistance, not only from Scotland but from England. And upon this occasion severe reflections were made, both on the conduct of the admiralty, and on that tract of correspondence lately discovered, that was managed under Harley's protection, and on the great breach that was so near the disjointing all our affairs but a few days before. These things, when put together, filled men's minds with thoughts of no easy digestion.

The parliament was sitting, and the queen, in a speech to both houses, communicated to them the advertisements she had received. Both houses made addresses to her, giving her full assurance of their adhering steadfastly to her, and to the protestant succession ; and mixed with these, broad intimations of their apprehensions of treachery at home. They passed also two bills : the one, that the abjuration might be tendered to all persons, and that such as refused it should be in the condition of convict recusants ; by the other, they suspended the Habeas Corpus act till October, with relation to persons taken up by the government upon suspicion. And the house of commons, by a vote, engaged to make good to the queen all the extraordinary charge this expedition might put her to.

A fortnight went over before we had any news of the French fleet. Three of their ships landed near the mouth of the Spey, only to refresh themselves ; for the ships being so filled with landmen, there was a great want of water. At last all their ships got safe into Dunkirk. The landmen either died at sea, or were so ill, that all the hospitals in Dunkirk were filled with them. It was reckoned that they lost above four thousand men in this unaccountable expedition ; for they were above a month tossed in a very tempestuous sea. Many suspected persons were taken up in Scotland, and some few in England ; but further discoveries of their correspondents were not then made. If they had landed, it might have had an ill

most culpably neglected, to say no worse, at this time. Lord Hardwicke, from good authority, has related, that when lord Mar, as secretary of state for Scotland, informed lord Godolphin and the duke of Marlborough of the dis-

persion of the French fleet ; the latter nobleman was silent, and the other only said, lifting up his eyes, " Well ! man proposes, and God disposes." —Oxford ed. of this work.

effect on our affairs, chiefly with relation to all paper credit : and if, by this, the remittances to Piedmont, Catalonia, and Portugal, had been stopped in so critical a season, that might have had fatal consequences abroad. For if we had been put into such a disorder at home, that foreign princes could no more reckon on our assistance, they might have been disposed to hearken to the propositions that the king of France would then have probably made to them. So that the total defeating of this design, without its having the least ill effect on our affairs, or our losing one single man in the little engagement we had with the enemy, is always to be reckoned as one of those happy providences for which we have much to answer.

The queen seemed much alarmed with this matter, and saw with what falsehoods she had been abused, by those who pretended to assure her there was not now a jacobite in the nation. One variation in her style was now observed : she had never, in any speech, mentioned the revolution, or those who had been concerned in it ; and many of those who made a considerable figure about her studied, though against all sense and reason, to distinguish her title from the revolution : it was plainly founded on it, and on nothing else. In the speeches she now made, she named the revolution twice, and said she would look on those concerned in it as the surest to her interests. She also fixed a new designation on the pretended prince of Wales, and called him the Pretender ; and he was so called in a new set of addresses, which, upon this occasion, were made to the queen. And I intend to follow the precedent as often as I may have occasion hereafter to mention him. The session of parliament was closed in March, soon after defeating the design of a descent. It was dissolved in April by proclamation, and the writs were issued out for the elections of a new parliament, which raised that ferment over the nation that was usual on such occasions. The just and visible dangers to which the attempt of the invasion had exposed the nation produced very good effects ; for the elections did, for the most part, fall on men well affected to the government, and zealously set against the pretender.

As soon as the state of affairs at home was well settled, the duke of Marlborough went over to Holland, and there prince Eugene met him, being sent by the emperor to concert with him and the States the operations of the campaign. From the Hague they both went to Hanover, to settle all matters relating to the empire, and to engage the elector to return to command the army on the Upper Rhine. Every thing was fixed. Prince Eugene went back to Vienna, and was obliged to return by the beginning of June ; for the campaign was then to be opened every where.

The court of France was much mortified by the disappointment they had met with in their designs against us ; but, to put more life in their troops, they resolved to send the duke of Burgundy with the duke of Berry to be at the head of their army in Flanders. The pretender went with them, without any other character than that of the chevalier de St. George. The elector of Bavaria with the duke of Berwick were sent to command in Alsace, and marshal Villars was sent to head the forces in Dauphiny. The credit, with relation to money, was still very low in France : for, after many methods taken for raising the credit of the mint-bills, they were still at a discount of 40 per cent. No fleets came this year from the West Indies, so that they could not be supplied from thence.

The duke of Orleans was sent to command in Spain ; and, according to the vanity of that nation, it was given out that they were to have mighty armies in many different places, and to put an end to the war there. Great rains fell all the winter in all the parts of Spain, so that the campaign could not be so soon opened as it was at first intended. The bills that the duke of Orleans brought with him to Spain were protested, at which he was so much displeased, that he desired to be recalled. This was remedied in some degree, though far short of what was promised to him. The troops of Portugal, that lay at Barcelona ever since the battle of Almanza, were brought about by a squadron of our ships to the defence of their own country. Sir John Leak came also over thither from England, with recruits and other supplies that the queen was to furnish that crown with ; and when all was landed, he sailed into the Mediterranean, to bring over troops from Italy, for the strengthening of king Charles, whose affairs were in great disorder.

After all the boasting of the Spaniards, their army on the side of Portugal was so weak

that they could not attempt anything : so this was a very harmless campaign on both sides, the Portuguese not being much stronger. The duke of Orleans sat down before Tortosa in June, and though Leak dissipated a fleet of tartanes, sent from France to supply his army, and took about fifty of them, which was a very seasonable relief to those in Barcelona ; upon which it was thought the siege of Tortosa would be raised ; yet it was carried on till the last of June, and then the garrison capitulated.

Leak sailed to Italy, and brought from thence both the new queen of Spain and eight thousand men with him ; but, by reason of the slowness of the court of Vienna, these came too late to raise the siege of Tortosa. The snow lay so long on the Alps, that the duke of Savoy did not begin the campaign till July ; then he came into Savoy, of which he possessed himself without any opposition. The whole country was under a consternation as far as Lyons.

On the Upper Rhine, the two electors continued looking on one another without venturing on any action ; but the great scene was laid in Flanders. The French princes came to Mons, and there they opened the campaign, and advanced to Soignies, with an army of an hundred thousand men. The duke of Marlborough lay between Enghien and Hal with his army, which was about eighty thousand.

The French had their usual practices on foot in several towns in those parts. A conspiracy to deliver Antwerp to them was discovered and prevented. The truth was, the Dutch were severe masters, and the Flandrians could not bear it. Though the French had laid heavier taxes on them, yet they used them better in all other respects. Their bigotry, being wrought on by their priests, disposed them to change masters, so these practices succeeded better in Ghent and Bruges. The duke of Marlborough resolved not to weaken his army by many garrisons ; so he put none at all in Bruges, and a very weak one in the citadel of Ghent, reckoning that there was no danger as long as he lay between those places and the French army. The two armies lay about a month looking on one another, shifting their camps a little, but keeping still in safe ground, so that there was no action all the while. But near the end of June some bodies drawn out of the garrisons about Ypres came and possessed themselves of Bruges, without any opposition ; and the garrison in Ghent was too weak to make any resistance, so they capitulated and marched out. Upon this the whole French army marched towards those places, hoping to have carried Oudenarde in their way.

The duke of Marlborough followed so quick, that they drew off from Oudenarde as he advanced. In one day, which was the last of June, he made a march of five leagues, passed the Scheld without any opposition, came up to the French army, and engaged them in the afternoon. They had the advantage both of numbers and of ground ; yet our men beat them from every post, and, in an action that lasted six hours, we had such an entire advantage, that nothing but the darkness of the night and weariness of our men saved the French army from being totally ruined. There were about five thousand killed and about eight thousand made prisoners (of whom one thousand were officers), and about six thousand more deserted ; so that the French lost at least twenty thousand men, and retired in great haste and in greater confusion to Ghent. On the confederates' side, there were about one thousand killed and two thousand wounded ; but our army was so wearied, with a long march and a long action, that they were not in a condition to pursue with that haste that was to be desired : otherwise great advantages might have been made of this victory. The French posted themselves on the great canal that runs from Ghent to Bruges. Prince Eugene's army of about thirty thousand men was now very near the great army, and joined it in a few days after this action ; but he himself was come up before them, and had a noble share in the victory, which, from the neighbourhood of that place, came to be called the battle of Oudenarde.

The French had recovered themselves out of their first consternation during that time, which was necessary to give our army some rest and refreshment ; and they were so well posted, that it was not thought fit to attack them. Great detachments were sent as far as to Arras, to put all the French countries under contribution, which struck such a terror

every where, that it went as far as to Paris. Our army could not block up the enemy's on all sides, the communication with Dunkirk by Newport was still open, and the French army was supplied from thence. They made an invasion into the Dutch Flanders : they had no great cannon, so they could take no place ; but they destroyed the country with their usual barbarity.

In conclusion the duke of Marlborough, in concert with prince Eugene and the States, resolved to besiege Lisle, the capital town of the French Flanders. It was a great, a rich, and a well fortified place, with a very strong citadel. It had been the first conquest the French king had made, and it was become, next to Paris, the chief town of his dominions. Marshal Boufflers threw himself into it, with some of the best of the French troops. The garrison was at least twelve thousand strong, some called it fourteen thousand. Prince Eugene undertook the conduct of the siege, with about thirty thousand men, and the duke of Marlborough, with the rest of the army, lay on the Scheld at Pont-Espieres, to keep the communication open with Brussels. Some time was lost before the great artillery could be brought up : it lay at Sas van Ghent, to have been sent up the Lys, but now it was to be carried about by Antwerp to Brussels, and from thence by land-carriages to the camp, which was a long and a slow work : in that some weeks were lost, so that it was near the end of August before the siege was begun. The engineers promised the States to take the place within a fortnight after the trenches were opened, but the sequel showed that they reckoned wrong. There were some disputes among them : errors were committed by those who were in greatest credit, who thought the way of sap the shortest, as well as the surest, method ; yet, after some time lost in pursuing this way, they returned to the ordinary method. Boufflers made a brave and a long defence. The duke of Burgundy came with his whole army so near ours, that it seemed he designed to venture another battle rather than lose so important a place ; and the duke of Marlborough was for some days in a posture to receive him ; but when he saw that his whols intention in coming so near him was only to oblige him to be ready for an action, without coming to any, and so to draw off a great part of those bodies that carried on the siege, leaving only as many as were necessary to maintain the ground they had gained, he drew a line before his army, and thought only of carrying on the siege ; for while he looked for an engagement no progress was made in that.

After some days the French drew off, and fell to making lines along the Scheld, but chiefly about Oudenarde, that they might cut off the communication between Brussels and our camp, and so separate our army from all intercourse with Holland. The lines were about seventy miles long, and in some places, near Oudenarde, they looked more like the ramparts of a fortified place than ordinary lines : on these they laid cannon, and posted the greater part of their army upon them, so that they did effectually stop all communication by the Scheld. Upon which the States ordered all that was necessary, both for the army and for the siege, to be sent to Ostend. And if the French had begun their designs with the intercepting this way of conveyance, the siege must have been raised for want of ammunition to carry it on.

About this time six thousand men were embarked at Portsmouth, in order to be sent over to Portugal ; but they were ordered to lie for some time on the coast of France, all along from Boulogne to Dieppe, in order to force a diversion, we hoping that this would oblige the French to draw some of their troops out of Flanders, for the defence of their coast. This had no great effect, and the appearance that the French made gave our men such apprehensions of their strength, that though they once began to land their men, yet they soon returned back to their ships. But as their behaviour was not a little censured, so the state of the war in Flanders made it necessary to have a greater force at Ostend. They were upon this ordered to come and land there. Earl, who commanded them, came out and took a post at Leffingen, that lay on the canal which went from Newport to Bruges, to secure the passage of a great convoy of eight hundred waggons, that were to be carried from Ostend to the army. If that had been intercepted, the siege must have been raised ; for the duke of Marlborough had sent some ammunition from his army to carry on the siege, and he could spare no more. He began to despair of the undertaking, and so prepared his friends to look

for the raising the siege, being in great apprehensions concerning this convoy ; upon which the whole success of this enterprise depended. He sent Webb with a body of six thousand men to secure the convoy.

The French, who understood well of what consequence the convoy was, sent a body of twenty thousand men with forty pieces of cannon, to intercept it. Webb, seeing the inequality between his strength and the enemy's, put his men into the best disposition he could. There lay coppices on both sides of the place where he posted himself, he lined these well, and stood still for some hours, while the enemy cannonaded him, he having no cannon to return upon them. His men lay flat on the ground till that was over. But when the French advanced our men fired upon them, both in front and from the coppices, with that fury, and with such success, that they began to run ; and though their officers did all that was possible to make them stand, they could not prevail ; so, after they had lost about six thousand men, they marched back to Bruges. Webb durst not leave the advantageous ground he was in to pursue them, being so much inferior in number. So unequal an action, and so shameful a flight, with so great loss, was looked on as the most extraordinary thing that had happened during the whole war : and it encouraged the one side as much as it dispirited the other. Many reproaches passed on this occasion, between the French and the Spaniards ; the latter, who had suffered the most, blaming the former for abandoning them. This, which is the ordinary consequence of all great misfortunes, was not soon quieted \*.

The convoy arriving safe in the camp put new life in our army. Some other convoys came afterwards, and were brought safe ; for the duke of Marlborough moved with his whole army to secure their motions, nor did the enemy think fit to give them any disturbance for some time. By the means of these supplies, the siege was carried on so effectually that, by the end of October, the town capitulated ; mareschal Boufflers retiring into the citadel with six thousand men. The French saw of what importance the communication by Ostend was to our army, which was chiefly maintained by the body that was posted at Leffingen ; so they attacked that with a very great force. The place was weak of itself, but all about was put under water, so it might have made a longer resistance. It was too easily yielded up by those within it, who were made prisoners of war. Thus the communication with Ostend was cut off, and upon that the French flattered themselves with the hopes of starving our army, having thus separated it from all communication with Holland : insomuch that it was reported the duke of Vendome talked of having our whole forces delivered into his hands as prisoners of war, for want of bread and other necessaries. It is true, the duke of Marlborough sent out great bodies, both into the French Flanders and into the Artois, who brought in great stores of provisions ; but that could not last long.

The French army lay all along the Scheld, but had sent a great detachment to cover the Artois ; all this while there was a great misunderstanding between the duke of Burgundy and the duke of Vendome : the latter took so much upon him, that the other officers complained of his neglecting them ; so they made their court to the duke of Burgundy, and laid the blame of all his miscarriages on Vendome. He kept close to the orders he had from Versailles, where the accounts he gave, and the advices he offered, were more considered than those that were sent by the duke of Burgundy. This was very uneasy to him, who was impatient of contradiction, and longed to be in action, though he did not show the forwardness, in exposing his own person, that was expected : he seemed very devout, even to bigotry ; but by the accounts we had from France, it did appear, that his conduct during the campaign gave no great hopes or prospect from him, when all things should come into his hands : Chamillard was often sent from court to soften him, and to reconcile him to the duke of Vendome, but with no effect.

The elector of Bavaria had been sent to command on the Upper Rhine : the true reason was believed, that he might not pretend to continue in the chief command in Flanders : he was put in hopes of being furnished with an army so strong, as to be able to break through

\* People acquainted with general Webb soon were wearied of his victory, and his vanity. He was telling the duke of Argyle some anecdotes of the action, for the twentieth time :—"I was wounded," said the egotist, "four times—" "I wish, dear general," replied the duke, "you had received one in your tongue, for then you would have left others to relate your deeds of valour." —Sir R. Onslow in the Oxford ed. of this work.

into Bavaria. The elector of Hanover did again undertake the command of the army of the empire : both armies were weak ; but they were so equally weak, that they were not able to undertake any thing on either side : so after some months, in which there was no considerable action, the forces on both sides went into winter quarters. Then the court of France, believing that the elector of Bavaria was so much beloved in Brussels, that he had a great party in the town, ready to declare for him, ordered an army of fourteen thousand men, with a good train of artillery, to be brought together, and with that body he was sent to attack Brussels ; in which there was a garrison of six thousand men. He lay before the town five days ; in one of these he attacked it with great fury : he was once master of the counterscarp, but he was soon beaten out of it : and though he repeated his attacks very often, he was repulsed in them all.

The duke of Marlborough hearing of this, made a sudden motion towards the Scheld : but to deceive the enemy, it was given out, that he designed to march directly towards Ghent, and this was believed by his whole army, and it was probably carried to the enemy ; for they seemed to have no notice nor apprehension of his design on the Scheld : he advanced towards it in the night, and marched with the foot very quick, leaving the horse to come up with the artillery : the lines were so strong, that it was expected, that in the breaking through them, there must have been a very hot action : some of the general officers told me, that they reckoned it would have cost them at least ten thousand men ; but to their great surprize, as soon as they passed the river, the French ran away, without offering to make the least resistance : and they had drawn off their cannon the day before. Our men were very weary with the night's march, so they could not pursue ; for the horse were not come up, nor did the garrison of Oudenarde sally out ; yet they took a thousand prisoners. Whether the notice of the feint, that the duke of Marlborough gave out of his design on Ghent, occasioned the French drawing off their cannon, and their being so secure, that they seemed to have no apprehensions of his true design, was not yet certainly known : but the abandoning those lines, on which they had been working for many weeks, was a surprise to all the world : their counsels seemed to be weak, and the execution of them was worse ; so that they, who were so long the terror, were now become the scorn of the world.

The main body of their army retired to Valenciennes ; great detachments were sent to Ghent and Bruges : as soon as the elector of Bavaria had the news of this unlooked-for reverse of their affairs, he drew off from Brussels with such precipitation, that he left his heavy cannon and baggage, with his wounded men behind him ; so this design, in which three thousand men were lost, came soon to an end. Those who thought of presages, looked on our passing the lines on the same day, in which the parliament of England was opened, as a happy one. Prince Eugene had marched, with the greatest part of the force that lay before Lisle (leaving only what was necessary to keep the town, and to carry on the sap against the citadel) to have a share in the action that was expected in forcing the lines ; but he came quickly back, when he saw there was no need of him, and that the communication with Brussels was opened.

The siege of the citadel was carried on in a slow but sure method : and when the besiegers had lodged themselves in the second counterscarp, and had raised all their batteries, so that they were ready to attack the place in a formidable manner ; mareschal Boufflers thought fit to prevent that by a capitulation. It was now near the end of November ; so he had the better terms granted him ; for it was resolved, as late as it was in the year, to reduce Ghent and Bruges, before this long campaign should be concluded : he marched out with five thousand men, so that the siege had cost those within as many lives as it did the besiegers, which were nearly eight thousand.

This was a great conquest ; the noblest, the richest, and the strongest town in those provinces, was thus reduced ; and the most regular citadel in Europe, fortified and furnished at a vast expense, was taken without firing one cannon against it. The garrison was obliged to restore to the inhabitants all that had been carried into the citadel, and to make good all the damages that had been done the town, by the demolishing of houses, while they were preparing themselves for the siege. All the several methods the French had used, to give a diversion, had proved ineffectual ; but that, in which the observers of Providence rejoice most,

was the signal character of a particular blessing on this siege : it was all the whole time a rainy season, all Europe over, and in all the neighbouring places ; yet during the siege of the town, it was dry and fair about it : and on those days of capitulation, in which time was allowed for the garrison to march into the citadel, it rained ; but as soon as these were elapsed, so that they were at liberty to besiege the citadel, fair weather returned, and continued till it was taken.

From Lisle, the army marched to invest Ghent, though it was late in the year ; for it was not done before December : the French boasted much of their strength, and they had, by some new works, made a show of designing an obstinate resistance. They stood it out, till the trenches were far advanced, and the batteries were finished, so that the whole train of artillery was mounted : when all was ready to fire on the town, the governor, to save both that and his garrison, thought fit to capitulate : he had an honourable capitulation, and a general amnesty was granted to the town, with a new confirmation of all their privileges. The burghers did not deserve so good usage ; but it was thought fit to try how far gentle treatment could prevail on them, and overcome their perverseness : and indeed it may be thought that they had suffered so much by their treachery, that they were sufficiently punished for it : Ghent was delivered to the duke of Marlborough on the last of December N. S., so gloriously was both the year and the campaign finished at once ; for the garrison that lay at Bruges, and in the forts about it, withdrew without staying for a summons. These being evacuated, the army was sent into winter quarters.

It had not been possible to have kept them in the field much longer ; for within two or three days after, there was a great fall of snow, and that was followed by a most violent frost, which continued the longest of any in the memory of man : and though there were short intervals, of a few days of thaw, we had four returns of an extreme frost, the whole lasting about three months. Many died in several parts, by the extremity of the cold ; it was scarcely possible to keep the soldiers alive, even in their quarters ; so that they must have perished, if they had not broken up the campaign, before this hard season. This coming on so quick, after all that was to be done abroad was effectuated, gave new occasions to those who made their remarks on Providence, to observe the very great blessings of this conjunction, wherein every thing that was designed was happily ended just at the critical time that it was become necessary to conclude the campaign : and indeed the concurrence of those happy events, that had followed us all this year, from the pretender's first setting out from Dunkirk, to the conclusion of it, was so signal, that it made great impressions on many of the chief officers, which some owned to myself ; though they were the persons from whom I expected it least.

The campaign in Spain was more equally balanced : the duke of Orleans took Tortosa ; Denia was also forced to capitulate, and the garrison were made prisoners of war. But these losses by land were well made up by the successes of our fleet : Sardinia was reduced, after a very feeble and short struggle : the plenty of the island made the conquest the more considerable at that time, for in Catalonia they were much straitened for want of provisions, which were now supplied from Sardinia. Towards the end of the campaign, the fleet, with a thousand land-men on board, came before Minorca, and in a few days made themselves masters of that island, and of those forts that commanded Port Mahon, the only valuable thing in that island : all was carried after a very faint resistance, the garrisons showing either great cowardice, or great inclinations to king Charles. By this, our fleet had got a safe port to lie in and refit, and to retire into on all occasions ; for till then we had no place nearer than Lisbon : this was such an advantage to us, as made a great impression on all the princes and states in Italy.

At this time the pope began to threaten the emperor with ecclesiastical censures, and a war, for possessing himself of Commachio, and for taking quarters in the papal territories : he levied troops, and went often to review them, not without the affectation of shewing himself a general, as if he had been again to draw the sword, as St. Peter did : he opened Sixtus the Fifth's treasure, and took out of it five hundred thousand crowns for this service : many were afraid that this war should have brought the emperor's affairs into a new entanglement ; for the court of France laid hold of this rupture, and to inflame it, sent mareschal Tessé to

Rome, to encourage the pope with great assurances of support. He was also ordered to try if the great duke, and the republics of Venice and Genoa, could be engaged in an alliance against the imperialists.

The emperor bore all the pope's threats with great patience, till the duke of Savoy ended the campaign; that duke, at the first opening of it, marched into Savoy, from whence it was thought his designs were upon Dauphiny. Villars was sent against him to defend that frontier; though he did all he could to decline that command: he drew all his forces together to cover Dauphiny; and by these motions, the passage into the Alps was now open: so the duke of Savoy secured that, and then marched back to besiege first Exilles, and then Fenes-trella, two places strong by their situation, from whence excursions could have been made into Piedmont; so that in case of any misfortune in that duke's affairs, they would have been very uneasy neighbours to him: he took them both. The greatest difficulty in those sieges was from the impracticableness of the ground, which drew them out into such a length, that the snow began to fall by the time both were taken. By this means the Alps were cleared, and Dauphiny was now open to him: he was also master of the valley of Pragelas, and all things were ready for a greater progress in another campaign.

The emperor's troops, that were commanded by him, were, at the end of the season, ordered to march into the pope's territories, and were joined by some more troops, drawn out of the Milanese, and the Mantuan. The pope's troops began the war in a very barbarous manner; for while they were in a sort of a cessation, they surprized a body of the imperialists, and without mercy put them all to the sword; but as the imperial army advanced, the Papalins, or, as the Italians in derision called them, the Papagallians, fled every where before them, even when they were three to one. As they came on, the pope's territories and places were all cast open to them: Bologna, the most important, and the richest of them, capitulated; and received them without the least resistance. The people of Rome were uneasy at the pope's proceedings, and at the apprehensions of a new sack from a German army: they showed this so openly, that tumults there were much dreaded, and many cardinals declared openly against this war. The emperor sent a minister to Rome, to see if matters could be accommodated; but the terms proposed seemed to be of hard digestion, for the pope was required to acknowledge king Charles, and in every particular to comply with the emperor's demands.

The pope was amazed at his ill success, and at those high terms; but there was no remedy left; the ill state of affairs in France was now so visible, that no regard was had to the great promises, which mareschal Tessé was making, nor was there any hopes of drawing the princes and states of Italy into an alliance for his defence. In conclusion, the pope, after he had delayed yielding to the emperor's demands long enough to give the imperialists time to eat up his country, at last submitted to every thing; yet he delayed acknowledging king Charles for some months, though he then promised to do it; upon which the emperor drew his troops out of his territories. The pope turned over the manner of acknowledging king Charles, to a congregation of cardinals; but they had no mind to take the load of this upon themselves, which would draw an exclusion upon them from France, in every conclave; they left it to the pope, and he affected delays; so that it was not done till the end of the following year.

The affairs in Hungary continued in the same ill state in which they had been for some years; the emperor did not grant the demands of the diet that he had called; nor did he redress their grievances, and he had not a force strong enough to reduce the malecontents; so that his council could not fall on methods, either to satisfy, or to subdue them.

Poland continued still to be a scene of war and misery; to their other calamities, they had the addition of a plague, which laid some of their great towns waste: the party formed against Stanislaus, continued still to oppose him, though they had no king to head them: the king of Sweden's warlike humour possessed him to such a degree, that he resolved to march into Muscovy. The czar tried how far submissions and intercessions could soften him; but he was inflexible: he marched through the Ukrain, but made no great progress: the whole Muscovite force fell on one of his generals, that had about him only a part of his army, and gave him a total defeat, most of his horse being cut off. After that, we were, for

many months, without any certain news from those parts: both sides pretended they had great advantages; and as Stanislaus's interest carried him to set out and magnify the Swedish success, so the party that opposed him studied as much to raise the credit of the Muscovites: so that it was not yet easy to know what to believe further, than that there had been no decisive action throughout the whole year; nor was there any during the following winter.

Our affairs at sea were less unfortunate this year than they had been formerly: the merchants were better served with convoys, and we made no considerable losses. A squadron that was sent to the bay of Mexico, met with the galleons, and engaged them: if all (their) captains had done their duty, they had been all taken: some few fought well. The admiral of the galleons, which carried a great treasure, was sunk; the vice-admiral was taken, and the rear-admiral run himself ashore near Carthagena; the rest got away. The enemy lost a great deal by this action, though we did not gain so much as we might have done, if all our captains had been brave and diligent\*. Another squadron carried over the queen of Portugal, which was performed with great magnificence; she had a quick and easy passage. This did in some measure compensate to that crown for our failing them, in not sending over the supplies that we had stipulated; it was a particular happiness that the Spaniards were so weak, as not to be able to take advantage of the naked and unguarded state, in which the Portuguese were at this time.

In the end of October, George prince of Denmark died, in the fifty-sixth year of his age, after he had been twenty-five years and some months married to the queen: he was asthmatical, which grew on him with his years; for some time he was considered as a dying man, but the last year of his life, he seemed to be recovered, to a better state of health. The queen had been, during the whole course of her marriage, an extraordinarily tender and affectionate wife; and in all his illness, which lasted some years, she would never leave his bed; but sat up, sometimes half the night in the bed by him, with such care and concern, that she was looked on very deservedly as a pattern in this respect.

This prince had showed himself brave in war, both in Denmark and in Ireland: his temper was mild and gentle: he had made a good progress in mathematics: he had travelled through France, Italy, and Germany, and knew much more than he could well express; for he spoke acquired languages ill and ungracefully. He was free from all vice; he meddled little in business, even after the queen's accession to the crown: he was so gained to the tories by the act which they carried in his favour, that he was much in their interest: he was unhappily prevailed with to take on him the post of high-admiral, of which he understood little; but was fatally led by those who had credit with him, who had not all of them his good qualities, but had both an ill temper and bad principles: his being bred to the sea, gained him some credit in those matters. In the conduct of our affairs, as great errors were committed, so great misfortunes had followed on them: all these were imputed to the prince's easiness, and to his favourite's ill management and bad designs. This drew a very heavy load on the prince, and made his death to be the less lamented: the queen was not only decently, but deeply affected with it†.

\* Admiral sir Charles Wager commanded in this action, and acted most bravely. Mr. speaker Onslow, his friend, gives of him a very high character. Humanity, clearness of mind, calm courage, and the most plain, kind manners, under a rough exterior, characterised the man. His father was a captain in the navy, but dying when his son was young, the widow married a quaker, among whom the admiral being educated, his simple manners is in some degree accounted for. (Oxford ed. of this work.) He died in 1743, aged seventy-seven. One anecdote abundantly confirms Mr. Onslow's character of this noble Englishman. The widow of Henry Cromwell, youngest son of the protector, left her daughter at Fordham, sir Charles Wager's residence, the latter at the time observing, "I have purchased the estate this child is heir to: therefore I will educate and provide for her." A promise he strictly fulfilled.—Noble's Contin. of Grainger, &c.

† This prince was born at Copenhagen in 1653. If he had possessed any superior talents, he would probably have been made king regnant, as were the husbands of the two Marys. The queen was fully aware of his weakness and indolence, therefore never permitted him to interfere in state affairs. Although educated for the sea service, it was very apparent that he was unfit to manage our maritime affairs. Bravery was an hereditary virtue in his family, and courage therefore was his most prominent superiority. He supported the tory party, perhaps, in gratitude for their having settled an annuity of 100,000*l.* upon him as long as he might survive his royal consort. He was too amiable to have any private enemies; and deserves some commendation for his patronage of the fine arts.

According to the earl of Dartmouth, this prince was the most indolent of all mankind. Charles the Second said

The earl of Pembroke was now advanced to the post of high-admiral; which he entered on with great uneasiness, and a just apprehension, of the difficulty of maintaining it well, in a time of war: he was at that time both lord president of the council, and lord lieutenant of Ireland. The earl of Wharton had the government of Ireland, and the lord Somers was made lord president of the council: the great capacity and inflexible integrity of this lord, would have made his promotion to this post very acceptable to the whigs, at any juncture, but it was most particularly so at this time; for it was expected that propositions for a general peace would be quickly made; and so they reckoned that the management of that, upon which not only the safety of the nation, but of all Europe, depended, was in sure hands, when he was set at the head of the councils, upon whom neither ill practices nor false colours were likely to make any impression. Thus the minds of all those who were truly zealous for the present constitution, were much quieted by this promotion; though their jealousies had a deep root, and were not easily removed.

The parliament was opened in the middle of November with great advantage; for the present ministry was now wholly such, that it gave an entire content to all who wished well to our affairs; and the great successes abroad silenced those who were otherwise disposed to find fault, and to complain. The queen did not think it decent for her to come to parliament during this whole session; so it was managed by a commission representing her person. Sir Richard Onslow was chosen speaker, without the least opposition: he was a worthy man, entirely zealous for the government; he was very acceptable to the whigs, and the tories felt that they had so little strength in this parliament, that they resolved to lie silent, and to wait for such advantages as the circumstances of affairs might give them\*. In the house of commons, the supplies that were demanded were granted very unanimously, not only for maintaining the force then on foot, but for an augmentation of ten thousand more: this was thought necessary to press the war with more force, as the surest way to bring on a speedy peace: the States agreed to the like augmentation on their side. The French, according to their usual vanity, gave out, that they had great designs in view for the next campaign: and it was confidently spread about by the jacobites, that a new invasion was designed, both on Scotland and on Ireland. At the end of the campaign, prince Eugene went to the court of Vienna, which obliged the duke of Marlborough to stay on the other side till he returned. Things went on in both houses, according to the directions given at court, for the court being now joined with the whigs, they had a clear majority in every thing: all elections were judged in favour of whigs and courtiers, but with so much partiality, that those who had formerly made loud complaints of the injustice of the tories, in determining elections, when they were a majority, were not so much as out of countenance when they were reproached for the same thing: they pretended they were in a state of war with the tories, so that it was reasonable to retaliate this to them, on the account of their former proceedings: but this did not satisfy just and upright men, who would not do to others that which they had complained of, when it was done to them, or to their friends. The house of commons voted a supply of seven millions for the service of the ensuing year; the land-tax, and the duty on malt, were readily agreed to; but it took some time to find funds for the rest that they had voted.

A petition, of a new nature, was brought before the lords, with relation to the election of the peers from Scotland: there was a return made in due form, but a petition was laid before

he had tried him both drunk and sober, but there was nothing in him. He was made a tool at the revolution, but king William treated him with contempt. When queen Anne came to the throne, she acted towards him similarly, though she would not allow others to neglect him in the least. All foreign princes despised him. He died at length of eating and drinking to excess. (Oxford edition of this work.) Little is known of his patrimony, which was some small islands belonging to the Danish crown, producing about 10,000*l.* a-year. These were mortgaged at the request of king William, to satisfy some pretensions of the Danes upon the duchy of Saxe Lawenburg, and were never redeemed. Dying intestate, the

queen caused an inventory of his personal estate to be taken. It amounted to 37,932*l.* Of this she took half, and the other moiety was divided between the electoral house of Saxony, the royal families of Denmark and Sweden, and the family of the prince bishop of Lubec.—Noble's Contin. of Grainger.

\* Sir Richard Onslow was afterwards made lord Onslow; he died in 1717. He was descended from one of Cromwell's peers. His nickname, even among his own party, was "stiff Dick." Lord Dartmouth describes him as trifling, vain, and ridiculous in appearance. He was uncle to the Mr. Onslow, whose Notes are in the Oxford edition of this work.

the house in the name of four lords, who pretended that they ought to have been returned : the duke of Queensbury had been created a duke of Great Britain, by the title of duke of Dover, yet he thought he had still a right to vote as a peer of Scotland : he had likewise a proxy, so that two votes depended on this point, whether the Scotch peerage did sink into the peerage of Great Britain. Some lords, who were prisoners in the castle of Edinburgh, on suspicion, as favouring the pretender, had sent for the sheriff of Lothian to the castle, and had taken the oaths before him ; and upon that, were reckoned to be qualified to vote or make a proxy ; now it was pretended, that the castle of Edinburgh was a constabulary, and was out of the sheriff's jurisdiction ; and that therefore he could not legally tender them the oaths : some proxies were signed, without subscribing witnesses, a form necessary by their law : other exceptions were also taken, from some rules of the law of Scotland, which had not been observed. The clerks being also complained of, they were sent for, and were ordered to bring up with them all instruments or documents relating to the election : when they came up, and every thing was laid before the house of lords, the whole matter was long and well debated.

As to the duke of Queensbury's voting among the Scotch lords, it was said, that if a peer of Scotland, being made a peer of Great Britain, did still retain his interest in electing the sixteen from Scotland, this would create a great inequality among peers ; some having a vote by representation, as well as in person : the precedent was mischievous, since by the creating some of the chief families in Scotland, peers of Great Britain, they would be able to carry the whole election of the sixteen, as they pleased. It was objected, that by a clause in the act passed since the union, the peers of England (who were likewise peers of Scotland) had a right to vote, in the election of Scotland, still reserved to them, so there seemed to be a parity in this case with that : but it was answered, that a peer of England and a peer of Scotland held their dignity under two different crowns, and by two different great seals ; but Great Britain, including Scotland as well as England, the Scotch peerage must now merge in that of Great Britain : besides, that there were but five, who were peers of both kingdoms, before the union ; so that, as it might be reasonable to make provision for them, so was it of no great consequence ; but if this precedent were allowed, it might go much further, and have very ill consequences. Upon a division of the house, the matter was determined against the duke of Queensbury.

A great deal was said both at the bar by lawyers, and in the debate in the house, upon the point of jurisdiction, and of the exemption of a constabulary : it was said, that the sheriff's court ought to be, as all courts were, open and free ; and so could not be held within a castle or prison : but no express decision had ever been made in this matter. The prisoners had taken the oaths, which was the chief intent of the law, in the best manner they could ; so that it seemed not reasonable to cut them off from the main privilege of peerage, that was reserved to them, because they could not go abroad to the sheriff's court : after a long debate, it was carried, that the oaths were duly tendered to them. Some other exceptions were proved and admitted, the returns of some, certifying that they had taken the oaths, were not sealed, and some had signed these, without subscribing witnesses : other exceptions were offered from provisions the law of Scotland had made, with relation to bonds and other deeds, which had not been observed in making of proxies : but the house of lords did not think these were of that importance, as to vacate the proxies on that account. So, after a full hearing, and a debate that lasted many days, there was but one of the peers that was returned, who was found not duly elected, and only one of the petitioning lords was brought into the house ; the marquis of Annandale was received, and the marquis of Lothian was set aside.

The Scotch members in both houses were divided into factions : the duke of Queensbury had his party, still depending on him ; he was in such credit with the lord treasurer and the queen, that all the posts in Scotland were given to persons recommended by him : the chief ministers at court seemed to have laid it down for a maxim, not to be departed from, to look carefully to elections in Scotland ; that the members returned from thence might be in an entire dependence on them, and be either whigs or tories, as they should shift sides. The duke of Queensbury was made third secretary of state ; he had no foreign province assigned him,

but Scotland was left to his management : the dukes of Hamilton, Montrose, and Roxburgh, had set themselves in an opposition to his power, and had carried many elections against him : the lord Somers and Sunderland supported them, but could not prevail with the lord treasurer to bring them into an equal share of the administration ; this had almost occasioned a breach ; for the whigs, though they went on in a conjunction with the lord treasurer, yet continued still to be jealous of him.

Another act was brought in and passed in this session, with relation to Scotland, which gave occasion to great and long debates ; what gave rise to it was this : upon the attempt made by the pretender, many of the nobility and gentry of Scotland, who had all along adhered to that interest, were secured ; and after the fleet was got back to Dunkirk, and the danger was over, they were ordered to be brought up prisoners to London ; when they came, there was no evidence at all against them, so they were dismissed, and sent back to Scotland. No exceptions could be taken to the securing them, while there was danger ; but since nothing besides presumptions lay against them, the bringing them up to London, at such a charge, and under such a disgrace, was much censured, as an unreasonable and an unjust severity ; and was made use of to give that nation a further aversion to the union. That whole matter was managed by the Scotch lords, then in the ministry, by which they both revenged themselves on some of their enemies, and made a show of zeal for the government ; though such as did not believe them sincere in these professions, thought it was done on design to exasperate the Scots the more, and so to dispose them to wish for another invasion. The whig ministry in England disowned all these proceedings, and used the Scots prisoners so well, that they went down much inclined to concur with them : but the lord Godolphin fatally adhered to the Scotch ministers, and supported them, by which, the advantage that might have been made from these severe proceedings was lost ; but the chief occasion given to the act concerning treasons in Scotland, was from a trial of some gentlemen of that kingdom, who had left their houses when the pretender was on the sea, and had gone about armed, and in so secret and suspicious a manner, that it gave great cause of jealousy : there was no clear evidence to convict them, but there were very strong, if not violent presumptions against them : some forms in the trial had not been observed, which the criminal court judged were necessary, and not to be dispensed with. But the queen's advocate, sir James Stuart, was of another mind : the court thought it was necessary by their laws, that the names of the witnesses should have been signified to the prisoners fifteen days before their trial ; but the queen's advocate had not complied with this, as to the chief witnesses ; so the court could not hear their evidence : he did not upon that move for a delay, so the trial went on, and the gentlemen were acquitted. Severe expostulations passed between the queen's advocate and the court : they complained of one another to the queen, and both sides justified their complaints in print. Upon this it appeared, that the laws in Scotland concerning trials in cases of treason, were not fixed nor certain : so a bill was brought into the house of commons to settle that matter ; but it was so much opposed by the Scotch members, that it was dropped in the committee ; it was taken up and managed with more zeal by the lords.

It consisted of three heads : all crimes which were high-treason by the law of England (and these only) were to be high-treason in Scotland : the manner of proceeding settled in England was to be observed in Scotland ; and the pains and forfeitures were to be the same in both nations. The Scotch lords opposed every branch of this act : they moved, that all things that were high-treason by the law of England, might be enumerated in the act, for the information of the Scotch nation ; otherwise they must study the book of statutes, to know when they were safe, and when they were guilty. To this it was answered, that direction would be given to the judges, to publish an abstract of the laws of high-treason, which would be a sufficient information to the people of Scotland, in this matter : that nation would by this means be in a much safer condition than they were now ; for the laws they had were conceived in such general words, that the judges might put such constructions on them as should serve the ends of a bad court ; but they would by this act be restrained in this matter for the future.

The second head in this bill occasioned a much longer debate ; it changed the whole method of proceedings in Scotland : the former way there was, the queen's advocate signed

a citation of the persons, setting forth the special matter of high-treason, of which they were accused ; this was to be delivered to them, together with the names of the witnesses, fifteen days before the trial. When the jury was empanelled, no peremptory challenges were allowed ; reasons were to be offered with every challenge, and if the court admitted them, they were to be proved immediately. Then the matter of the charge, which is there called the relevancy of the libel, was to be argued by lawyers, whether the matter, suppose it should be proved, did amount to high-treason or not ; this was to be determined by a sentence of the court, called the *interloquitur* : and the proof of the fact was not till then to be made : of that the jury had the cognizance. Anciently the verdict went with the majority, the number being fifteen ; but by a late act, the verdict was to be given, upon the agreement of two-third parts of the jury : in the sentence, the law did not limit the judges to a certain form, but they could aggravate the punishment, or moderate it, according to the circumstances of the case. All this method was to be set aside ; a grand jury was to find the bill, the judges were only to regulate proceedings, and to declare what the law was, and the whole matter of the indictment was to be left entirely to the jury, who were to be twelve, and all to agree in their verdict.

In one particular, the forms in Scotland were much preferable to those in England ; the depositions of the witnesses were taken indeed by word of mouth, but were written out, and after that were signed by the witnesses ; they were sent in to the jury ; and these were made a part of the record. This was very slow and tedious, but the jury, by this means, was more certainly possessed of the evidence ; and the matter was more clearly delivered down to posterity ; whereas the records in England are very defective, and give no light to a historian that peruses them, as I found when I wrote the History of the Reformation.

The Scotch opposed this alteration of their way of proceeding ; they said, that neither the judges, the advocates, nor the clerks would know how to manage a trial of treason : they insisted most on the having the names of the witnesses, to be given to the persons, some days before their trial : it seemed reasonable that a man should know who was to be brought to witness against him, that so he might examine his life, and see what credit ought to be given to him : on the other hand it was said, this would open a door to much practice, either upon the witnesses to corrupt them, or in suborning other witnesses to defame them. To this it was answered, that a guilty man knew what could be brought against him, and without such notice would take all the methods possible to defend himself : but provision ought to be made for innocent men, whose chief guilt might be a good estate, upon which a favourite might have an eye ; and therefore such persons ought to be taken care of. This was afterwards so much softened, that it was only desired, that the names of the witnesses that had given evidence to the grand jury should, upon their finding the bill, be signified to the prisoner five days before his trial. Upon a division of the house on this question, the votes were equal ; so by the rule of the house, that in such a case the negative prevails, it was lost. Upon the third head of the bill, the debates grew still warmer : in Scotland many families were settled by long entails and perpetuities ; so it was said, that since by one of the articles of the union, all private rights were still preserved, no breach could be made on these settlements. I carried this farther ; I thought it was neither just nor reasonable to set the children on begging for their fathers' faults : the Romans, during their liberty, never thought of carrying punishments so far : it was an invention, under the tyranny of the emperors, who had a particular revenue called the fisc, and all forfeitures were claimed by them, from whence they were called confiscations : it was never the practice of free governments : Bologna flourished beyond any town in the pope's dominions, because they made it an article of their capitulation with the pope, that no confiscation should follow on any crime whatsoever. In Holland the confiscation was redeemable by so very small a sum, as an hundred guilders : many instances could be brought of prosecutions, only to obtain the confiscation ; but none of the lords seconded me in this : it was acknowledged, that this was just and reasonable, and fit to be passed in good times ; but since we were now exposed to so much danger from abroad, it did not seem advisable to abate the severity of the law : but clauses were agreed to, by which, upon marriages, settlements might be made in Scotland, as was practised in England ; for no estate is forfeited for the crime of him, who

is only tenant for life. By this act also, tortures were condemned, and the queen was empowered to grant commissions of Oyer and Terminer as in England, for trying treasons. The Scotch insisted on this, that the justiciary or the criminal court being preserved by an article of the union, this broke in upon that. It was answered, the criminal court was still to sit, in the times regulated; but these commissions were granted upon special occasions. In the intervals between the terms, it might be necessary upon some emergency not to delay trials too long; but to give some content, it was provided by a clause, that a judge of the criminal court should be always one of the quorum in these commissions: so the bill passed in the house of lords, notwithstanding the opposition of all the Scotch lords, with whom many of the tories concurred; they being disposed to oppose the court in every thing, and to make treason as little to be dreaded as possible.

The bill met with the same opposition in the house of commons; yet it passed with two amendments: by one, the names of the witnesses that had appeared before the grand jury, were ordered to be sent to the prisoner ten days before his trial: the other was, that no estate in land was to be forfeited, upon a judgment of high treason: this came up fully to the motion I had made. Both these amendments were looked on as such popular things, that it was not probable that the house of commons would recede from them: upon that the whigs in the house of lords did not think fit to oppose them, or to lose the bill: so it was moved to agree to these amendments, with this proviso, that they should not take place till after the death of the pretender: it was said, that since he assumed the title of king of Great Britain, and had so lately attempted to invade us, it was not reasonable to lessen the punishment, and the dread of treason, as long as he lived. Others objected to this, that there would be still a pretender after him, since so many persons stood in the lineal descent before the house of Hanover; so that this proviso seemed to be, upon the matter, the rejecting the amendment: but it was observed, that to pretend to the right of succeeding, was a different thing from assuming the title, and attempting an invasion. The amendment was received by the house of lords with this proviso; those who were against the whole bill did not agree to it. The house of commons consented to the proviso, which the lords had added to their amendment, with a farther addition, that it should not take place till three years after the house of Hanover should succeed to the crown.

This met with great opposition; it was considered as a distinguishing character of those who were for or against the present constitution, and the succession; the Scots still opposing it on the account of their formal laws: both parties mustered up their strength, and many, who had gone into the country, were brought up on this occasion: so that the bill, with all the amendments and provisos, was carried by a small majority: the lords agreeing to this new amendment. The Scotch members in both houses seemed to apprehend, that the bill would be very odious in their country; so to maintain their interest at home, they, who were divided in every thing else, did agree in opposing this bill.

The court apprehended from the heat with which the debates were managed, and the difficulty in carrying the bill through both houses, that ill-disposed men would endeavour to possess people with apprehensions of bad designs and severities, that would be set on foot; so they resolved to have an act of grace immediately upon it: it was the first the queen had sent, though she had then reigned above seven years: the ministers, for their own sake, took care that it should be very full; it was indeed fuller than any former act of grace; all treasons committed before the signing the act, which was the 19th of April, were pardoned, those only excepted that were done upon the sea: by this, those who had embarked with the pretender were still at mercy. This act, according to form, was read once in both houses, and with the usual complements of thanks, and with that the session ended.

Other things of great importance passed during this session: the house of commons voted an enlargement of the bank, almost to three millions, upon which the books were opened to receive new subscriptions: and to the admiration of all Europe, as well as of ourselves at home, the whole sum was subscribed in a few hours' time: this shewed both the wealth of the nation, and the confidence that all people had in the government. By this subscription, and by a further prolongation of the general mortgage of the revenue, they created good funds for answering all the money that they had voted in the beginning of the session.

Our trade was now very high, and was carried on every where with advantage, but no where more than at Lisbon; for the Portuguese were so happy, in their dominions in America, that they discovered vast quantities of gold in their mines, and we were assured that they had brought home to Portugal, the former year, about four millions sterling, of which they, at that time, stood in great need, for they had a very bad harvest; but gold answers all things: they were supplied from England with corn, and we had in return a large share of their gold.

An act passed in this session, that was much desired, and had been often attempted, but had been laid aside in so many former parliaments, that there was scarcely any hopes left to encourage a new attempt: it was for naturalizing all foreign protestants, upon their taking the oaths to the government, and their receiving the sacrament in any protestant church. Those who were against the act, soon perceived that they could have no strength, if they should set themselves directly to oppose it; so they studied to limit strangers in the receiving the sacrament to the way of the church of England. This probably would not have hindered many, who were otherwise disposed to come among us: for the much greater part of the French came into the way of our church. But it was thought best to cast the door as wide open as possible, for encouraging of strangers: and therefore since, upon their first coming over, some might choose the way to which they had been accustomed beyond sea, it seemed the more inviting method to admit of all who were in any protestant communion: this was carried in the house of commons, with a great majority; but all those who appeared for this large and comprehensive way, were reproached for their coldness and indifference in the concerns of the church: and in that I had a large share; as I spoke copiously for it, when it was brought up to the lords: the bishop of Chester spoke as zealously against it, for he seemed resolved to distinguish himself as a zealot for that which was called high-church. The bill passed with very little opposition.

There was all this winter great talk of peace, which the miseries and necessity of France seemed to drive them to: this gave occasion to a motion, concerted among the whigs, and opened by the lord Halifax, that an address should be made to the queen, to conclude no peace with France, till they should disown the pretender, and send him out of that kingdom, and till the protestant succession should be universally owned, and that a guaranty should be settled among the allies for securing it. None durst venture to oppose this, so it was easily agreed to, and sent down to the house of commons for their concurrence. They presently agreed to it, but added to it a matter of great importance, that the demolishing of Dunkirk should be likewise insisted on, before any peace were concluded: so both houses carried this address to the queen, who received and answered it very favourably. This was highly acceptable to the whole nation, and to all our allies. These were the most considerable transactions of this session of parliament, which was concluded on the 21st of April.

The convocation was summoned, chosen, and returned as the parliament was: but it was too evident that the same ill temper that had appeared in former convocations, did still prevail, though not with such a majority: when the day came in which it was to be opened, a writ was sent from the queen to the archbishop, ordering him to prorogue the convocation for some months: and at the end of these, there came another writ, ordering a further prorogation: so the convocation was not opened during this session of parliament; by this, a present stop was put to the factious temper of those who studied to recommend themselves by embroiling the church.

It did not cure them; for they continued still by libels and false stories to animate their party; and so catching a thing is this turbulent spirit, when once it prevails among clergymen, that the same ill temper began to ferment and spread itself among the clergy of Ireland; none of those disputes had ever been thought of in that church formerly, as they had no records nor minutes of former convocations. The faction here in England found out proper instruments to set the same humour on foot, during the earl of Rochester's government, and, as was said, by his directions; and it being once set going, it went on by reason of the indolence of the succeeding governors; so the clergy were making the same bold claim there that had raised such disputes among us: and upon that, the party here published those pretensions of theirs, with their usual confidence, as founded on a clear possession and pre-

scription; and drew an argument from that to justify and support their own pretensions, though those in Ireland never dreamed of them till they had the pattern and encouragement from hence. This was received by the party with great triumph, into such indirect practices do men's ill designs and animosities engage them: but though this whole matter was well detected and made appear, to their shame, who had built so much upon it, yet parties are never out of countenance; but when one artifice fails, they will lay out for another. The secret encouragement with which they did most effectually animate their party, was, that the queen's heart was with them: and that though the war and the other circumstances of her affairs obliged her at present to favour the moderate party, yet as soon as a peace brought on a better settlement, they promised themselves all favour at her hands. It was not certain that they had then any ground for this, or that she herself, or any by her order, gave them these hopes; but this is certain, that many things might have been done to extinguish those hopes, which were not done; so that they seemed to be left to please themselves with those expectations, which kept still life in their party; and indeed it was but too visible, that the much greater part of the clergy were in a very ill temper, and under very bad influences; enemies to the toleration, and soured against the dissenters.

I now must relate the negotiations, that the French set on foot for a peace. Soon after the battle of Ramillies, the elector of Bavaria gave out hopes of a peace; and that the king of France would come to a treaty of partition; that Spain and the West Indies should go to king Charles if the dominions of Italy were given to king Philip. They hoped that England and the States would agree to this, as less concerned in Italy; but they knew the court of Vienna would never hearken to it; for they valued the dominions in Italy with the islands near them, much more than all the rest of the Spanish monarchy. But at the same time that Louis the Fourteenth was tempting us, with the hopes of Spain and the West Indies, by a letter to the pope, that king offered the dominions in Italy to king Charles. The parliament had always declared the ground of the war to be, the restoring the whole Spanish monarchy to the house of Austria, (which indeed the States had never done) so the duke of Marlborough could not hearken to this; he convinced the States of the treacherous designs of the court of France, in this offer, and it was not entertained.

The court of Vienna was so alarmed at the inclinations some had expressed towards the entertaining this project, that this was believed to be the secret motive of the treaty, the succeeding winter, for evacuating the Milanese, and of their persisting so obstinately, the summer after, in their designs upon Naples; for by this means they became masters of both. The French, being now reduced to great extremities, by their constant ill success, and by the miseries of their people, resolved to try the States again; and when the duke of Marlborough came over to England, M. Rouillé was sent to Holland, with general offers of peace, desiring them to propose what it was they insisted on; and he offered them as good a barrier for themselves as they could ask. The States, contrary to their expectation, resolved to adhere firmly to their confederates, and to enter into no separate treaty, but in conjunction with their allies: so, upon the duke of Marlborough's return, they, with their allies, began to prepare preliminaries, to be first agreed to, before a general treaty should be opened: they had been so well acquainted with the perfidious methods of the French court, when a treaty was once opened, to divide the allies, and to create jealousies among them, and had felt so sensibly the ill effects of this, both at Nimeguen and Ryswick, that they resolved to use all necessary precautions for the future; so preliminaries were prepared, and the duke of Marlborough came over hither, to concert them with the ministry at home\*.

In this second absence of his, M. de Torey, the secretary of state for foreign affairs †, was sent to the Hague, the better to dispose the States to peace, by the influence of so great a minister; no methods were left untried, both with the States in general, and with every man they spoke with in particular, to beget in them a full assurance of the king's sincere inten-

\* The duke upon this occasion, without naming it to the queen, used his influence to get himself appointed captain-general for life. Lord Somers warned the queen of the dangerous powers a subject would acquire by such an appointment; and this entirely destroyed the duke's

plan.—Lord Dartmouth in the Oxford edition of this work.

† M. de Torey's "Mémoires" afford much valuable information relative to this period.

tions for peace ; but they knew the artifices of that court too well, to be soon deceived ; so they made no advances till the duke of Marlborough came back, who carried over the lord viscount Townshend, to be conjunct plenipotentiary with himself, reckoning the load too great to bear it wholly on himself. The choice was well made : for as lord Townshend had great parts, had improved these by travelling, and was by much the most shining person of all our young nobility, and had, on many occasions, distinguished himself very eminently ; so he was a man of great integrity, and of good principles in all respects, free from all vice, and of an engaging conversation.

The foundation of the whole treaty was, the restoring of the whole Spanish monarchy to king Charles, within two months : Torey said, the time was too short, and that perhaps it was not in the king of France's power to bring that about : for the Spaniards seemed resolved to stick to king Philip. It was, upon this, insisted on, that the king of France should be obliged to concur with the allies, to force it by all proper methods ; but this was not farther explained, for the allies were well assured, that if it was sincerely intended by France, there would be no great difficulty in bringing it about. This therefore being laid down as the basis of the treaty, the other preliminaries related to the restoring all the places in the Netherlands, except Cambray and St. Omer ; the demolishing or restoring of Dunkirk ; the restoring of Strasbourg, Brisack, and Huningen to the empire ; Newfoundland to England ; and Savoy to that duke, besides his continuing possessed of all he then had in his hands ; the acknowledging the king of Prussia's royal dignity ; and the electorate in the house of Brunswick ; the sending the pretender out of France, and the owning the succession to the crown of England, as it was settled by law. As all the great interests were provided for by these preliminaries, so all other matters were reserved to be considered, when the treaty of peace should be opened : a cessation of all hostilities was to begin, within two months, and to continue till all was concluded by a complete treaty, and ratified ; provided the Spanish monarchy was then entirely restored. The French plenipotentiaries seemed to be confounded at these demands. Torey excepted to the leaving Exilles and Fenestrella in the duke of Savoy's hands ; for he said, he had no instructions relating to them : but in conclusion, they seemed to submit to them, and Torey at parting desired the ratifications might be returned with all possible haste, and promised that the king of France's final answer should be sent, by the fourth of June ; but spoke of their affairs as a man in despair : he said, he did not know but he might find king Philip at Paris, before he got thither, and said all that was possible, to assure them of the sincerity of the king of France, and to divert them from the thoughts of opening the campaign ; but at the same time king Philip was getting his son, the prince of Asturias, to be acknowledged by all the towns and bodies of Spain, as the heir of that monarchy.

Upon this outward appearance of agreeing to the preliminaries, all people looked upon the peace to be as good as made ; and ratifications came from all the courts of the allies, but the king of France refused to agree to them ; he pretended some exceptions to the articles relating to the emperor and the duke of Savoy ; but insisted chiefly on that, of not beginning the suspension of arms, till the Spanish monarchy should be all restored ; he said, that was not in his power to execute ; he ordered his minister afterwards to yield up all but this last ; and by a third person, one Pettecum, it was offered, to put some more towns into the hands of the allies, to be kept by them till Spain was restored. It appeared by this, that the French had no other design in all this negotiation, but to try if they could beget an ill understanding among the allies, or, by the seeming great concessions, for the security of the States, provoke the people of Holland against their magistrates, if they should carry on the war, when they seemed to be safe ; and they reckoned, if a suspension of arms could be once obtained, upon any other terms than the restoring of Spain, then France would get out of the war, and the allies must try how they could conquer Spain. France had so perfidiously broken all their treaties, during this king's reign, that it was a piece of inexcusable folly, to expect any other from them. In the peace of the Pyrenees, where the interest of France was not so deeply engaged to preserve Portugal from falling under the yoke of Castile, as it was now to preserve Spain in the hands of a grandson ; after the king had sworn to give no assistance to Portugal, yet, under the pretence of breaking some bodies, he suffered them to

be entertained by the Portuguese ambassador, and sent Schomberg to command that army ; pretending he could not hinder one that was a German by birth, to go and serve where he pleased : under these pretences, he had broken his faith, where the consideration was not so strong as in the present case. Thus it was visible no faith that king could give was to be relied on, and that unless Spain was restored, all would prove a fatal delusion : besides, it came afterwards to be known, that the places in Brabant and Hainault, commanded by the elector of Bavaria, would not have been evacuated by him, unless he had orders for it from the king of Spain, under whom he governed in them ; and that was not to be expected : so the easiness with which the French ministers yielded to the preliminaries, was now understood to be an artifice, to slacken the zeal of the confederates, in advancing the campaign, as the least effect it would have ; but in that their hopes failed them, for there was no time lost in preparing to take the field.

I do not mix with the relation that I have given upon good authority, the uncertain reports we had of distractions in the court of France, where it was said that the duke of Burgundy pressed the making a peace, as necessary to prevent the ruin of France, while the dauphin pressed more vehemently the continuance of the war, and the supporting of the king of Spain : it was said, that Madame Maintenon appeared less at court ; Chamillard, who had most of her favour, was dismissed : but it is not certain what influence that had on the public councils ; and the conduct of this whole negotiation shewed plainly, that there was nothing designed in it, but to divide, or to deceive the confederates ; and, if possible, to gain a separate peace for France ; and then to let the allies conquer Spain as they could. But the allies kept firm to one another, and the treachery of the French appeared so visible, even to the people in Holland, that all the hopes they had, of inflaming them against their magistrates, likewise failed. The people in France were much wrought on by this pretended indignity offered to their monarch, to oblige him to force his grandson to abandon Spain ; and even, here in England, there wanted not many, who said it was a cruel hardship put on the French king, to force him into such an unnatural war : but if he was guilty of the injustice of putting him in possession of that kingdom, it was but a reasonable piece of justice to undo what he himself had done : and it was so visible, that king Philip was maintained on that throne, by the councils and assistance of France, that no doubt was made, but that, if the king of France had really designed it, he could easily have obliged him to relinquish all pretensions to that crown.

Thus the negotiations came soon to an end ; without producing any ill effect among the allies ; and all the ministers at the Hague made great acknowledgments to the pensioner Heinsius, and to the States, for the candour and firmness they had expressed on that occasion. The miseries of France were represented, from all parts, as extremely great ; the prospect for corn and wine was so low, that they saw no hope nor relief. They sent to all places for corn, to preserve their people, many of the ships that brought it to them were taken by our men of war ; but this did not touch the heart of their king, who seemed to have hardened himself against the miseries of his people. Villars was sent to command the armies in Flanders, of whom the king of France said, that he was never beaten ; Harcourt was sent to command on the Rhine, and the duke of Berwick in Dauphiny. This summer passed over without any considerable action in Spain. There was an engagement on the frontier of Portugal, in which the Portuguese behaved themselves very ill, and were beaten ; but the Spaniards did not pursue the advantage they had by this action ; for they, apprehending that our fleet might have a design upon some part of their southern coast, were forced to draw their troops from the frontiers of Portugal, to defend their own coast ; though we gave them no disturbance on that side.

The king of France, to carry on the show of a design for peace, withdrew his troops out of Spain, but at the same time took care to encourage the Spanish grandees, to support his grandson : and since it was visible that either the Spaniards, or the allies, were to be deceived by him, it was much more reasonable to believe that the allies, and not the Spaniards, were to feel the effects of this fraudulent way of proceeding. The French general, Besons, who commanded in Arragon, had indeed ordérs not to venture on a battle, for that would have been too gross a thing to be in any wise palliated ; but he continued all this summer com-

manding their armies. Nothing of any importance passed on the side of Dauphiny: the emperor continued still to refuse complying with the duke of Savoy's demands; so he would not make the campaign in person, and his troops kept on the defensive. On the other hand, the French, as they saw they were to be feebly attacked, were too weak to do any thing more than cover their own country. Little was expected on the Rhine; the Germans were so weak, so ill furnished, and so ill paid, that it was not easy for the court of Vienna to prevail on the elector of Brunswick to undertake the command of that army; yet he came at last: and upon his coming, the French, who had passed the Rhine, thought it was safest for them to repass that river, and to keep within their lines. The elector sent count Mercy, with a considerable body, to pass the Rhine near Basil, and on design to break into Franche Comté; but a detached body of the French, lying in their way, there followed a very sharp engagement; two thousand men were reckoned to be killed on each side; but though the loss of men was reckoned equal, yet the design miscarried, and the Germans were forced to repass the Rhine. The rest of the campaign went over there without any action.

The chief scene was in Flanders, where the duke of Marlborough, trusting little to the shows of peace, had every thing in readiness to open the campaign, as soon as he saw what might be expected from the court of France. The army was formed near Lille, and the French lay near Douay; the train of artillery was, by a feint, brought up the Lys to Courtray; so it was believed the design was upon Ypres, and there being no apprehension of any attempt on Tournay, no particular care was taken of it; but it was on the sudden invested, and the train was sent back to Ghent, and brought up the Scheld to Tournay. The siege was carried on regularly: no disturbance was given to the works by sallies, so the town capitulated within a month, the garrison being allowed to retire into the citadel, which was counted one of the strongest in Europe, not only fortified with the utmost exactness, but all the ground was wrought into mines; so that the resistance of the garrison was not so much apprehended as the mischief they might do by blowing up their mines. A capitulation was proposed, for delivering it up on the fifth of September, if it should not be relieved sooner, and that all hostilities should cease till then. This was offered by the garrison, and agreed to by the duke of Marlborough; but the king of France would not consent to it, unless there were a general suspension, by the whole army, of all hostilities; and that being rejected, the siege went on. Many men were lost in it, but the proceeding by sap prevented much mischief; in the end no relief came, and the garrison capitulated in the beginning of September, but could obtain no better conditions than to be made prisoners of war.

After this siege was over, Mons was invested, and the troops marched thither, as soon as they had levelled their trenches about Tournay; but the court of France resolved to venture a battle, rather than to look on, and see so important a place taken from them. Boufflers was sent from court to join with Villars in the execution of this design: they possessed themselves of a wood, and intrenched themselves so strongly, that in some places there were three intrenchments cast up, one within another. The duke of Marlborough and prince Eugene saw plainly it was not possible to carry on the siege of Mons, while the French army lay so near it; so it was necessary to dislodge them. The attempt was bold, and they saw the execution would be difficult, and cost them many men. This was the sharpest action in the whole war, and lasted the longest. The French were posted so advantageously, that our men were often repulsed; and indeed the French maintained their ground better, and showed more courage than appeared in the whole course of the war: yet in conclusion they were driven from all their posts, and the action ended in a complete victory. The number of slain was almost equal on both sides, about twelve thousand of a side. We took five hundred officers prisoners, besides many cannon, standards, and ensigns. Villars was disabled by some wounds he received, so Boufflers made the retreat in good order. The military men have always talked of this, as the sharpest action in the whole war, not without reflecting on the generals, for beginning so desperate an attack. The French thought it a sort of a victory, that they had animated their men to fight so well behind entrenchments, and to repulse our men so often, and with so great loss. They retired to Valenciennes, and secured themselves by casting up strong lines, while they left our army to carry on the siege of Mons, without giving them the least disturbance. As soon as the train of artillery was

brought from Brussels, the siege was carried on with great vigour, though the season was both cold and rainy : the outworks were carried with little resistance, and Mons capitulated about the end of October ; with that the campaign ended, both armies retiring into winter quarters.

The most important thing that relates to Italy, was, that the pope delayed acknowledging king Charles, by several pretended difficulties ; his design being to stay and see the issue of the campaign ; but when he was threatened, towards the end of it, that if it was not done, the imperial army should come and take up their winter quarters in the ecclesiastical state, he submitted and acknowledged him. He sent also his nephew, Albano, first to Vienna, and then to Poland ; he furnished him with a magnificent retinue, and seemed to hope, that by the services he should do to the papal interests there, he should be pressed to make him a cardinal, notwithstanding the bull against nepotism.

In Catalonia, Staremburg, after he received reinforcements from Italy, advanced towards the Segra, and having for some days amused the enemy, he passed the river ; the Spaniards designed to give him battle, but Besons, who commanded the French troops, refused to engage ; this provoked the Spaniards so much, that king Philip thought it was necessary to leave Madrid, and go to the army ; Besons produced his orders from the king of France, to avoid all engagements, with which he seemed much mortified. Staremburg advanced and took Balaguer, and made the garrison prisoners of war : and with that the campaign on that side was at an end.

This summer brought a catastrophe on the affairs of the king of Sweden : he resolved to invade Muscovy, and engaged himself so far into the Ukraine, that there was no possibility of his retreating, or of having reinforcements brought him. He engaged a great body of Cossacks to join him, who were easily drawn to revolt from the czar : he met with great misfortunes in the end of the former year, but nothing could divert him from his designs against Muscovy ; he passed the Nieper, and besieged Pultowa : the czar marched to raise the siege, with an army in number much superior to the Swedes ; but the king of Sweden resolved to venture on a battle, in which he received such a total defeat, that he lost his camp, his artillery, and baggage : a great part of his army got off, but being closely pursued by the Muscovites, and having neither bread nor ammunition, they were all made prisoners of war.

The king himself, with a small number about him, passed the Nieper, and got into the Turkish dominions, and settled at Bender, a town in Moldavia. Upon this great reverse of his affairs, king Augustus pretended, that the resignation of the crown of Poland was extorted from him by force, and that it was not in his power to resign the crown, by which he was tied to the republic of Poland, without their consent : so he marched into Poland, and Stanislaus was not able to make any resistance, but continued under the protection of the Swedes, waiting for another reverse of fortune. A project was formed to engage the kings of Denmark and Prussia, with king Augustus and the czar, to attack the Swedes in so many different places, that the extravagant humour of their king was likely now to draw a heavy storm upon them ; if England and the States, with the court of Vienna had not crushed all this, and entered into a guaranty, for preserving the peace of the empire, and by consequence, of the Swedish dominions in Germany. Dantzic was at this time severely visited with a plague, which swept away almost one half of their inhabitants, though few of the better sort died of the infection. This put their neighbours under great apprehensions, they feared the spreading of the contagion ; but it pleased God, it went no farther. This sudden, and, as it seemed, total reverse of all the designs of the king of Sweden, who had been for many years the terror of all his neighbours, made me write to Dr. Robinson, who had lived above thirty years in that court, and is now bishop of Bristol, for a particular character of that king. I shall set it down in his own words \*.

\* Dr. John Robinson was a native of Cleasby, in Yorkshire, where he was born in the year 1650. His education concluded at Oriel college, Oxford, of which he became a fellow, and a munificent patron. Going to Sweden as domestic chaplain to our ambassador, he continued as resident whilst his superior was absent, and finally, was promoted to the ambassadorship. He con-

tinued at the Swedish court from 1683 to 1708. Much of his celebrity arose from his " Account of Sweden, as it was in 1688," and the reader who wishes for farther information relative to that kingdom at this period, will do well to consult it. On his return to England, he obtained the deanery of Windsor, the registrarship of the order of the garter, and a prebend stall at Canterbury.

He is now in the twenty-eighth year of his age, tall and slender, stoops a little, and in his walking discovers, though in no great degree, the effect of breaking his thigh-bone about eight years ago: he is of a very vigorous and healthy constitution, takes a pleasure in enduring the greatest fatigues, and is little curious about his repose: his chief and almost only exercise has been riding, in which he has been extremely excessive: he usually eats with a good appetite, especially in the morning, which is the best of his three meals: he never drinks any thing but small beer, and is not much concerned whether it be good or bad: he speaks little, is very thoughtful, and is observed to mind nothing so much as his own affairs, laying his designs, and contriving the ways of acting, without communicating them to any till they are to be put in execution: he holds few or no councils of war; and though in civil affairs his ministers have leave to explain their thoughts, and are heard very patiently, yet he relies more on his own judgment, than on theirs, and frequently falls on such methods as are farthest from their thoughts: so that both his ministers and generals have hitherto had the glory of obedience, without either the praise, or blame, of having advised prudently or otherwise. The reason of his reservedness in consulting others may be thus accounted for; he came, at the age of fifteen, to succeed, in an absolute monarchy, and by the forward zeal of the states of the kingdom, was in a few months declared to be of age: there were those about him that magnified his understanding, as much as his authority, and insinuated that he neither needed advice, nor could submit his affairs to the deliberation of others, without some diminution of his own supreme power. These impressions had not all their effect till after the war was begun, in the course of which he surmounted so many impossibilities (as those about him thought them) that he came to have less value for their judgments, and more for his own, and at last to think nothing impossible. So it may be truly said, that under God, as well all his glorious successes, as the late reverse of them, have been owing solely to his own conduct. As to his piety, it cannot be said but that the outward appearances have highly recommended it, only it is not very easy to account for the excess of his revenge against king Augustus, and some other instances; but he is not suspected of any bodily indulgences. It is most certain he has all along wished well to the allies, and not at all to France, which he never intended to serve by any steps he has made. We hear the Turks use him well, but time must show what use they will make of him, and how he will get back into his own kingdom. If this misfortune does not quite ruin him, it may temper his fire, and then he may become one of the greatest princes of the age. Thus I leave him and his character.

The king of Denmark spent a great part of this summer in a very expensive course of travelling through the courts of Germany and Italy, and it was believed he intended to go to Rome, where great preparations were making, for giving him a splendid reception; for it was given out, that he intended to change his religion; but whether these reports were altogether groundless, or whether their being so commonly believed, was likely to produce some disorders in his own kingdom, is not certainly known; only thus much is certain, that he stopped at Florence, and went no further, but returned home; and upon the king of Sweden's misfortunes, entered into measures to attack Sweden, with king Augustus; who had called a diet in Poland, in which he was acknowledged their king, and all things were settled there, according to his wishes. The king of Denmark, upon his return home, sent an army over the Sound into Schonen; but his counsels were so weak, and so ill conducted, that he did not send a train of artillery, with other necessaries, after them: some places, that were not tenable, were yielded up by the Swedes, and by the progress that he made at first, he seemed to be in a fair way of recovering that province; but the Swedes brought an army together, though far inferior to the Danes in number, and falling on them, gave them such

In 1710, he was advanced to the see of Bristol. The chief of his other public employments and preferments are noticed in future pages. He died in 1723. Stackhouse in his "Memoirs of Dr. Atterbury," speaks of Dr. Robinson with great contempt and asperity, but others who knew him well, speak of him as having deep and general knowledge, as being religious, good humoured, and charitable; characteristics we may the more readily believe,

when we know that he became lord privy seal, and bishop of London, and that if he had survived Dr. Tennison, he would have become archbishop of Canterbury; such preferments are guarantees that he was talented; and the attributes of his heart seem similarly assured by his endowments of Oriel college and of a free school at his native place.—Gen. Biograph. Dictionary; Noble's Contin. of Grainger.

an entire defeat, that the king of Denmark was forced to bring back, as well as he could, the broken remnants of his army, by which an end was put to that inglorious expedition.

The Swedish army, that was in Poland, having got into Pomerania, the French studied to engage them to fall into Saxony, to embroil the affairs of Germany, and by that means engage the neighbouring princes, to recall the troops that were in the queen's service, and that of the other allies in Flanders; but the queen and the States interposed effectually in this matter, and the Swedes were so sensible, how much they might need their protection, that they acquiesced in the propositions that were made to them; so the peace of the northern parts of the empire was secured. A peace was likewise made up, between the grand seignior and the czar: the king of Sweden continued still at Bender; the war in Hungary went still on. The court of Vienna published ample relations of the great successes they had there; but an Hungarian assured me, these were given out to make the malcontents seem an inconsiderable and ruined party. There were secret negotiations still going on, but without effect.

Nothing of importance passed on the sea: the French put out no fleet, and our convoys were so well ordered, and so happy, that our merchants made no complaints: towards the end of the year the earl of Pembroke found the care of the fleet a load too heavy for him to bear, and that he could not discharge it, as it ought to be done; so he desired leave to lay it down. It was offered to the earl of Orford: but though he was willing to serve at the head of a commission, he refused to accept of it singly; so it was put in commission, in which he was the first.

I now come to give an account of the session of parliament, that came on this winter. All the supplies that were asked for carrying on the war, were granted, and put on good funds; in this there was a general unanimous concurrence: but the great business of this session, that took up most of their time, and that had great effects in conclusion, related to Dr. Sacheverel: this being one of the most extraordinary transactions in my time, I will relate it very copiously. Dr. Sacheverel was a bold insolent man, with a very small measure of religion, virtue, learning, or good sense, but he resolved to force himself into popularity and preferment, by the most petulant railings at dissenters, and low-churchmen, in several sermons and libels, written without either chasteness of style, or liveliness of expression: all was one unpractised strain of indecent and scurrilous language. When he had pursued this method for several years without effect, he was at last brought up by a popular election to a church in Southwark, where he began to make great reflections on the ministry, representing that the church was in danger, being neglected by those who governed, while they favoured her most inveterate enemies. At the assizes in Derby (where he preached before the judges) and on the fifth of November (preaching at St. Paul's in London) he gave a full vent to his fury, in the most virulent declamation, that he could contrive, upon these words of St. Paul's, "perils from false brethren;" in which, after some short reflections upon popery, he let himself loose into such indecencies, that both the man and the sermon were universally condemned: he asserted the doctrine of non-resistance in the highest strain possible, and said, that to charge the revolution with resistance, was to cast black and odious imputations on it; pretending, that the late king had disowned it, and cited for the proof of that, some words in his declaration, by which he vindicated himself from a design of conquest. He poured out much scorn and scurrility on the dissenters, and reflected severely on the toleration; he said the church was violently attacked by her enemies, and loosely defended by her pretended friends: he animated the people to stand up for the defence of the church, for which he said he sounded the trumpet, and desired them to put on the whole armour of God. The court of aldermen refused to desire him to print his sermon; but he did print it, pretending it was upon the desire of Garrard, then lord mayor, to whom he dedicated it, with an inflaming epistle at the head of it. The party that opposed the ministry, did so magnify the sermon, that, as was generally reckoned, about forty thousand of them were printed, and dispersed over the nation. The queen seemed highly offended at it, and the ministry looked on it as an attack made on them, that was not to be despised. The lord treasurer was so described, that it was next to the naming him, so a parliamentary impeachment was resolved on; Eyre, then solicitor-general, and others thought the short

way of burning the sermon, and keeping him in prison during the session, was the better method ; but the more solemn way was unhappily chosen \*.

There had been, ever since the queen came to the crown, an open revival of the doctrine of passive obedience and non-resistance by one Leslie, who was the first man that began the war in Ireland, saying, in a speech solemnly made, that king James, by declaring himself a papist, could no longer be our king, since he could not be the defender of our faith, nor the head of our church ; dignities so inherent in the crown, that he who was incapable of these could not hold it. A copy of which speech the present archbishop of Dublin told me he had, under his own hand. As he animated the people with his speech, so some actions followed under his conduct in which several men were killed ; yet this man changed sides quickly, and became the most violent jacobite in the nation, and was engaged in many plots, and in writing many books against the revolution and the present government. Soon after the queen was on the throne, he, or his son, as some said, published a series of weekly papers, under the title of "The Rehearsal," pursuing a thread of arguments in them all against the lawfulness of resistance, in any case whatsoever ; deriving government wholly from God, denying all right in the people, either to confer or to coerce it. The ministers connived at this, with what intention God knows †.

Whilst these seditious papers had a free course for many years, and were much spread and magnified ; one Hoadley, a pious and judicious divine, being called to preach before the lord mayor, chose for his text the first verses of the 13th chapter to the Romans, and fairly explained the words there, that they were to be understood only against resisting good governors, upon the Jewish principles ; but that those words had no relation to bad and cruel governors : and he asserted, that it was not only lawful, but a duty incumbent on all men to resist such : concluding all with a vindication of the revolution and the present government. Upon this, a great outcry was raised, as if he had preached up rebellion : several books were written against him, and he justified himself, with a visible superiority of argument, to them all, and did so solidly overthrow the conceit of one Filmer, now espoused by Leslie (that government was derived by primogeniture from the first patriarchs),

\* Dr. Henry Sacheverel is one of many instances of the importance conferred upon an obscure individual by persecuting him. When the assailant is the national government, that at once elevates the assailed into the prominent character of a political martyr. Sacheverel, Wilkes, and Burdett, are sufficient examples. Dr. Sacheverel was the son of a clergyman at Marlborough, in Wiltshire, and born there in the year 1672. It is curious that two such opposite politicians as he and Addison, should be demys of Magdalen college, Oxford, at the same time ; and it is as remarkable that the Henry Sacheverel with whom Addison was so intimate at Oxford, is not the same person as is mentioned in the text. It was the extreme of error to proceed against the doctor in the most solemn of legal forms, namely, by impeachment—the hangman burnt his sermons, and the mob revenged this by setting fire to dissenters' chapels. His prosecution is detailed at length in the State Trials, and though condemned, his was the triumph, and to his prosecutors it was, in effect, a defeat. He travelled in state through many parts of England ; wherever he approached a town, thousands of persons came forth to meet him, and he reached his Welch living after a progress more suitable to a conqueror than a degraded priest. After his three years' suspension were expired, his prosecutors, the house of commons, the tories being then in power, ordered him to preach before them, and thanked him for his sermon. He was given the rectory of St. Andrews, Holborn, and if his friends had remained at the head of affairs, he probably would have been raised to the bishops' bench. The closing years of his life he devoted strictly to the duties of his profession, making no efforts to obtain preferment, nor embroiling himself at all with politics. In private life he was eminently amiable. He died in 1724.—

Wood's *Athenae Oxon.*, Gen. Biog. Dictionary ; Noble's *Contin.* of Grainger.

† Charles Leslie was a son of Dr. John Leslie, bishop of Clogher. Originally he was intended for the law, but left the pursuit of this for the more sacred profession. In 1687 he obtained the chancellorship of Connor, and displayed great firmness in opposition to the papists, holding a disputation with their bishop of his district, and preventing the intrusion of a high sheriff holding the same creed. He is to be praised rather than condemned for the part he took at the Revolution ; for he conscientiously believed it illegal to depose the reigning monarch, and therefore, although still adhering to the protestant religion, he refused to transfer his allegiance to king William. He used his utmost exertions to restore the Stuart family, but finding their cause hopeless he returned to Ireland, and died there in 1722. His numerous works, political and theological, are enumerated in his life, given in the *Biographia Britannica*. Dr. Johnson has praised him as a powerful and unanswerable defender of our religion.

Dr. Benjamin Hoadley, mentioned in the next paragraph, is the prelate who gave rise to the celebrated Bangorian controversy, which took its appellation from his being at the time bishop of Bangor. The doctor maintained in this that the clergy could claim no civil power. His opponents were Sherlock, Hare, Law, &c. Dr. Hoadley was born at Westerham, in the year 1676, receiving his education under his father at the Norwich Grammar School, and at Catherine Hall, Cambridge. His taste was for controversy, and, besides the above-mentioned, he had fierce encounters with Calamy, Atterbury, and others. From the see of Bangor he was successively removed to Hereford, Salisbury, and Winchester, where he died in 1761.—Gen. Biog. Dictionary.

that for some time he silenced his adversaries: but it was an easier thing to keep up a clamour, than to write a solid answer. Sacheverel did, with great virulence, reflect on him, and on me and several other bishops, carrying his venom as far back as to archbishop Grindal, whom, for his moderation, he called a perfidious prelate, and a false son of the church. When it was moved to impeach him, the lord mayor of London, being a member of the house of commons, was examined to this point, whether the sermon was printed at his desire or order. Upon his owning it, he would have been expelled the house; but he denied he had given any such order, though Sacheverel affirmed it, and brought witnesses to prove it. Yet the house would not enter upon that examination; but it was thought more decent to seem to give credit to their own member, though indeed few believed him.

Some opposition was made to the motion for impeaching Sacheverel, but it was carried by a great majority\*. The proceedings were slow, so those who intended to inflame the city and the nation upon that occasion, had time sufficient given them for laying their designs. They gave it out boldly, and in all places, that a design was formed by the whigs to pull down the church, and that this prosecution was only set on foot to try their strength; and that, upon their success in it, they would proceed more openly. Though this was all falsehood and forgery, yet it was propagated with so much application and zeal, and the tools employed in it were so well supplied with money (from whom was not then known), that it is scarcely credible how generally it was believed.

Some things concurred to put the vulgar in ill humour; it was a time of dearth and scarcity, so that the poor were much pinched. The summer before, ten or twelve thousand poor people of the palatinate, who were reduced to great misery, came into England: they were well received and supplied, both by the queen and by the voluntary charities of good people. This filled our own poor with great indignation, who thought those charities, to which they had a better right, were thus intercepted by strangers; and all who were ill affected studied to heighten these their resentments. The clergy did generally espouse Sacheverel as their champion, who had stood in the breach; and so they reckoned his cause was their own. Many sermons were preached, both in London and other places, to provoke the people, in which they succeeded beyond expectation. Some accidents concurred to delay the proceedings; much time was spent in preparing the articles of impeachment: and the answer was by many shifts long delayed: it was bold, without either submission or common respect: he justified every thing in his sermon in a very haughty and assuming style. In conclusion, the lords ordered the trial to be at the bar of their house; but those who found that by gaining more time the people were still more inflamed, moved that the trial might be public in Westminster Hall, where the whole house of commons might be present. This took so with unthinking people, that it could not be withstood, though the effects it would have were well foreseen. The preparing Westminster Hall was a work of some weeks.

At last, on the twenty-seventh of February, the trial began. Sacheverel was lodged in the Temple, and came every day with great solemnity in a coach to the Hall; great crowds ran about his coach with many shouts, expressing their concern for him in a very rude and tumultuous manner. The trial lasted three weeks, in which all other business was at a stand, for this took up all men's thoughts. The managers for the commons opened the matter very solemnly: their performances were much and justly commended. Jekyll, Eyre, Stanhope, King, but above all Parker, distinguished themselves in a very particular manner: they did copiously justify both the revolution and the present administration. There was no need of witnesses; for the sermon being owned by him, all the evidence was brought from it by laying his words together, and by showing his intent and meaning in them, which appeared from comparing one place with another. When his counsel, sir Simon Harcourt, Dodd, Phipps, and two others, came to plead for him, they very freely acknowledged the lawfulness of resistance in extreme cases, and plainly justified the revolution and our deliverance by king William: but they said it was not fit in a sermon to name such an excep-

\* According to lord Hardwicke, Sacheverel's impeachment was chiefly pressed by lord Wharton. Swift says that he heard lord Somers foretell that it would probably end in the ruin of the whig party.—Oxford ed. of this work; Swift's Four last Years of Queen Anne

tion ; that the duties of morality ought to be delivered in their full extent, without supposing an extraordinary case : and therefore Sacheverel had followed precedents, set by our greatest divines, ever since the reformation, and ever since the revolution. Upon this they opened a great field : they began with the declarations made in king Henry the Eighth's time : they insisted next upon the Homilies, and from thence instanced in a large series of bishops and divines, who had preached the duty of submission and non-resistance in very full terms, without supposing any exception ; some excluding all exceptions in as positive a manner as he had done. They explained the word revolution, as belonging to the new settlement upon king James's withdrawing ; though, in the common acceptation, it was understood of the whole transaction, from the landing of the Dutch army, till the settlement made by the convention. So they understanding the revolution in that sense, there was indeed no resistance there. If the passage quoted from the declaration given out by the late king, while he was prince of Orange, did not come up to that for which he quoted it, he ought not to be censured because his quotation did not fully prove his point. As for his invective against the dissenters and the toleration, they laboured to turn that off, by saying he did not reflect on what was allowed by law, but on the permission of, or the not punishing, many who published impious and blasphemous books. And a collection was made of passages in books full of crude impiety and of bold opinions. This gave great offence to many, who thought that this was a solemn publishing of so much impiety to the nation, by which more mischief would be done than by the books themselves ; for most of them had been neglected, and known only to a small number of those who encouraged them ; and the authors of many of these books had been prosecuted and punished for them. As to those parts of the sermon that set out the danger the church was in, though both houses had some years ago voted it a great offence, to say it was in danger, they said it might have been in none four years ago, when these votes passed, and yet be now in danger : the greatest of all dangers was to be apprehended from the wrath of God for such impieties. They said the reflections on the administration were not meant of those employed immediately by the queen, but of men in inferior posts. If his words seemed capable of a bad sense, they were also capable of a more innocent one ; and every man was allowed to put any construction on his words that they could bear. When the counsel had ended their defence, Sacheverel concluded it with a speech, which he read with much bold heat ; in which, with many solemn asseverations, he justified his intentions towards the queen and her government : he spoke with respect, both of the revolution and the protestant succession ; he insisted most on condemning all resistance, under any pretence whatsoever, without mentioning the exception of extreme necessity, as his counsel had done ; he said it was the doctrine of the church in which he was bred up ; and added many pathetical expressions, to move the audience to compassion. This had a great effect on the weaker sort, while it possessed those, who knew the man and his ordinary discourses, with horror, when they heard him affirm so many falscholds, with such solemn appeals to God. It was very plain the speech was made for him by others ; for the style was correct, and far different from his own.

During the trial, the multitudes that followed him all the way as he came, and as he went back, showed a great concern for him, pressing about him, and striving to kiss his hand. Money was thrown among them, and they were animated to such a pitch of fury, that they went to pull down some meeting-houses, which was executed on five of them, as far as burning all the pews in them. This was directed by some of better fashion, who followed the mob in hackney coaches, and were seen sending messages to them. The word, upon which all shouted, was "The Church and Sacheverel !" and such as joined not in the shout were insulted and knocked down. Before my own door one, with a spade, cleft the skull of another, who would not shout as they did. There happened to be a meeting-house near me, out of which they drew every thing that was in it, and burned it before the door of the house. They threatened to do the like execution on my house ; but the noise of the riot coming to court, orders were sent to the guards, to go about and disperse the multitudes and secure the public peace. As the guards advanced the people ran away, some few were only taken : these were afterwards prosecuted, but the party showed a violent concern for them : two of them were condemned as guilty of high treason, small fines were set on the rest, but

no execution followed; and after some months, they were pardoned. And indeed this remissness in punishing so great a disorder was looked on as the preparing and encouraging men to new tumults. There was a secret management in this matter that amazed all people; for though the queen, upon an address made to her by the house of commons, set out a proclamation, in which this riot was with severe words laid upon papists and non-jurors, who were certainly the chief promoters of it, yet the proceedings afterwards did not answer the threatenings of the proclamation.

When Sacheverel had ended his defence, the managers for the house of commons replied, and showed very evidently that the words of his sermon could not reasonably bear any other sense but that for which they had charged him. This was an easy performance, and they managed it with great life; but the humour of the town was turned against them, and all the clergy appeared for Sacheverel. Many of the queen's chaplains stood about him, encouraging and magnifying him; and it was given out that the queen herself favoured him; though, upon my first coming to town, which was after the impeachment was brought up to the lords, she said to me that it was a bad sermon, and that he deserved well to be punished for it. All her ministers, who were in the house of commons, were named to be managers, and they spoke very zealously for public liberty, justifying the revolution. Holt, the lord chief justice of the king's bench, died during the trial. He was very learned in the law, and had upon great occasions showed an intrepid zeal in asserting its authority; for he ventured on the indignation of both houses of parliament by turns, when he thought the law was with him. He was a man of good judgment and great integrity, and set himself with great application to the functions of that important post\*. Immediately upon his death Parker was made lord chief justice. This great promotion seemed an evident demonstration of the queen's approving the prosecution; for none of the managers had treated Sacheverel so severely as he had done: yet secret whispers were very confidently set about that, though the queen's affairs put her on acting the part of one that was pleased with the scene, yet she disliked it all, and would take the first occasion to show it.

After the trial was ended, the debate was taken up in the house of lords. It stuck long on the first article. None pretended to justify the sermon, or to assert absolute non-resistance: all who favoured him went upon this, that the duty of obedience ought to be delivered in full and general words, without putting in exceptions, or supposing odious cases: this had

\* Sir John Holt was the son of sir Thomas Holt, who never rose above the dignity of a serjeant-at-law. He was born in 1642, at Thame. His youth gave no premonitions of his maturer excellency, for he was unmaneagably wild, both at Abingdon school, and Oriel college, Oxford. No sooner had he been called to the bar by the benchers of Gray's inn, and fairly embarked in his profession, than his application to his studies became unweared. He rapidly attained the degree of a serjeant, and was chosen recorder of London; but resigned this latter office in 1687, being resolved not to submit to support the arbitrary measures of James the Second. When the convention met for the purpose of arranging the conditions for William to succeed to the vacant throne, Holt, with four other barristers, Maynard, Pollexfen, Bradford, and Atkinson, were selected by the peers to assist with their advice. In 1689, he reached the greatest elevation in his profession that he chose to accept, being in that year advanced to the chief-justiceship of the king's bench. An offer was made to him of the lord chancellorship, but he replied, "I never had but one cause in chancery, and, as I lost that, I cannot think myself qualified for so great a trust." No sounder lawyer ever sat in Westminster Hall; neverce more undauntedly maintained the dignity of a judge and the liberties of the people. In the Banbury cause he told the house of lords that they should respect the laws which had made them so great.—Presiding over that law, he should not regard their decisions, nor give them reasons for his conduct. He similarly defied the house of commons. They sent

to demand of him reasons and explanations for his decision in an election cause, but he would not give any. The speaker and some of the members came into his court to urge their message, but he said to them, "I sit here to administer justice; if you had the whole house of commons in your belly, Mr. Speaker, I should disregard you; and, if you do not immediately retire, I will commit you, and those with you."

An old decrepid woman being arraigned before him for witchcraft, he enquired how it was proved, and being answered that it was by a spell, he asked to see it, and a piece of parchment was handed to him. Having interrogated the prisoner as to how she obtained it, she told him that a young gentleman gave it to her, as a cure for her daughter's ague, which it had cured, and many others. "I am glad of it," said Holt; and then turning to the jury, he added, "Gentlemen, when I was young, thoughtless, and had spent my money, I, and some companions equally unthinking, went to this woman's house, then a public one; having no money to pay our reckoning, I hit upon a stratagem to get off scot free. Seeing her daughter ill, I pretended I had a spell to cure her. I wrote the classic line you see; so that if any one is punishable, it is I, and not the prisoner." She was acquitted, and the chief-justice amply recompensed her for the deceit he had used towards her in former years. This admirable man died in 1711, and was buried in Redgrave church, Suffolk, where there is a fine monument to his memory, and his statue, life size, sitting in his robes.—Life, published in 1764; Noble's Contin. of Grainger.

been the method of all our divines. Pains were also taken to show that his sermon did not reflect on the revolution. On the other hand it was said, that since the revolution had happened so lately, and was made still the subject of much controversy, those absolute expressions did plainly condemn it. The revolution was the whole progress of the turn, from the prince of Orange's landing, till the act of settlement passed. The act of parliament expressed what was meant by the abdication and the vacancy of the throne; that it did not only relate to king James's withdrawing himself, but to his ceasing to govern according to our constitution and laws, setting up his mere will and pleasure as the measure of his government. This was made plainer by another clause in the acts then passed, which provided, that if any of our princes should become papists, or marry papists, the subjects were in those cases declared to be free from their allegiance. Some of the bishops spoke in excuse of Sacheverel: but Talbot, bishop of Oxford\*; Wake, bishop of Lincoln; Trippel, bishop of Norwich; and myself, spoke on the other side. We showed the falsehood of an opinion, too commonly received, that the church of England had always condemned resistance, even in the cases of extreme tyranny. The books of the Maccabees, bound in our bibles, and approved by our articles (as containing examples of life and instruction of manners, though not as any part of the canon of the Scripture), contained a full and clear precedent for resisting and shaking off extremity. The Jews, under that brave family, not only defended themselves against Antiochus, but formed themselves into a free and new government. Our homilies were only against wilful rebellion, such as had been then against our kings, while they were governing by law. But at that very time queen Elizabeth had assisted first the Scotch and then the French, and to the end of her days continued to protect the States, who not only resisted, but, as the Maccabees had done, shook off the Spanish yoke, and set up a new form of government: in all this she was not only justified by the best writers of that time, such as Jewel and Bilson, but was approved and supported in it; both her parliaments and convocations gave her subsidies to carry on those wars. The same principles were kept up all king James's reign: in the beginning of king Charles's reign he protected the Rochellers, and asked supplies from the parliament to enable him to do it effectually; and ordered a fast and prayers to be made for them. It is true, soon after that, new notions of absolute power, derived from God to kings, were taken up: at the first rise given to these by Mawaring, they were condemned by a sentence of the lords; and though he submitted and retracted his opinion, yet a severe censure passed upon him. But during the long discontinuance of parliaments that followed, this doctrine was more favoured: it was generally preached up, and many things were done pursuant to it, which put the nation into the great convulsions that followed in our civil wars. After these were over, it was natural to return to the other extreme, as courts naturally favour such doctrines. King James trusted too much to it; yet the very assertors of that doctrine were the first who pleaded for resistance, when they thought they needed it. Here was matter for a long debate. It was carried, by a majority of seventeen, that the first article was proved. The party that was for Sacheverel made no opposition to the votes upon the following articles, but contented themselves with protesting against them. The lords went down to the hall, where the question being put upon the whole impeachment, guilty or not guilty, fifty-two voted him not guilty, and sixty-nine voted him guilty.

The next debate was what censure ought to pass upon him; and here a strange turn appeared: some seemed to apprehend the effects of a popular fury, if the censure was severe; to others it was said that the queen desired it might be mild; so it was proposed to suspend him from preaching for one year, others were for six years; but by a vote it was fixed to three years. It was next moved that he should be incapable of all preferment for those

\* Dr. William Talbot was born at Stourton Castle, in Staffordshire, during the year 1659. Whilst at Oriel college, Oxford, he particularly distinguished himself. The kindness of his distant relative, the duke of Shrewsbury, gave him the opportunity to obtain the court patronage. Queen Mary admired him as a pulpit orator, which led the way to the bishopric of Oxford, to which he was

preferred in 1699. In succession, he filled the sees of Salisbury and Durham. His generosity exceeded his princely income, but his son being lord chancellor of England supplied his pecuniary deficiencies. He died in 1730.—Hutchinson's Hist. of Durham. Noble's Contin. of Grainger.

three years: upon that the house was divided, fifty-nine were for the vote and sixty were against it. So that being laid aside, the sermon was ordered to be burnt in the presence of the lord mayor and the sheriffs of London, and this was done; only the lord mayor, being a member of the house of commons, did not think he was bound to be present. The lords also voted that the decrees of the university of Oxford, passed in 1683, in which the absolute authority of princes and the unalterableness of the hereditary right of succeeding to the crown were asserted in a very high strain, should be burnt with Sacheverel's sermon. The house of commons likewise ordered the impious collection of blasphemous expressions that Sacheverel had printed as his justification to be also burnt.

When this mild judgment was given, those who had supported him during the trial expressed an inconceivable gladness, as if they had got a victory; bonfires, illuminations, and other marks of joy appeared, not only in London, but over the whole kingdom.

This had yet greater effects: addresses were set on foot from all the parts of the nation, in which the absolute power of our princes was asserted, and all resistance was condemned, under the designation of antimonarchical and republican principles: the queen's hereditary right was acknowledged, and yet a zeal for the protestant succession was likewise pretended, to make those addresses pass the more easily with unthinking multitudes. Most of these concluded with an intimation of their hopes that the queen would dissolve the present parliament, giving assurances that, in a new election, they would choose none but such as should be faithful to the crown and zealous for the church. These were at first more coldly received; for the queen either made no answer at all, or made them in very general words. Addresses were brought, upon the other hand, magnifying the conduct of the parliament, and expressing a zeal for maintaining the revolution and the protestant succession.

In the beginning of April the parliament was prorogued, and the queen, in her speech thereupon, expressed her concern that there was cause given for that which had taken up so much of their time, wishing that all her people would be quiet and mind their own business; adding, that in all times there was too much occasion given to complain of impiety, but that she would continue that zeal which she had hitherto expressed for religion and for the church. This seemed to look a different way from the whispers that had been set about. Soon after that she made a step that revived them again. The duke of Shrewsbury had gone out of England in the end of the former reign, thinking, as he gave out, that a warmer climate was necessary for his health. He stayed several years at Rome, where he became acquainted with a Roman lady; and she, upon his leaving Rome to return to England, went after him to Augsburg, where she overtook him, and declared herself a protestant; upon which he married her there, and came with her back to England in the year 1706. Upon his return, the whigs lived in civilities with him; but they thought his leaving England, and his living so long out of it, while we were in so much danger at home, and his strange marriage, gave just cause of suspicion. The duke of Marlborough and the lord Godolphin lived still in friendship with him, and studied to overcome the jealousies that the whigs had of him; for they generally believed that he had advised the late king to the change he made in his ministry towards the end of his reign. He seemed not to be concerned at the distance in which he was kept from business, but in the late trial he left the whigs in every vote; and a few days after the parliament was prorogued, the queen, without communicating the matter to any of her ministers, took the chamberlain's white staff from the marquis of Kent (whom, in recompence for that, she advanced to be a duke), and gave it to the duke of Shrewsbury. This gave a great alarm; for it was upon that concluded that a total change of the ministry would quickly follow: the change of principles that he had discovered in the trial was imputed to a secret management between him and Harley, with the new favourite. The queen's inclination to her, and her alienation from the duchess of Marlborough, did increase, and broke out in many little things not worth naming: upon that, the duchess retired from the court, and appeared no more at it. The duke of Shrewsbury gave the ministers very positive assurances that his principles were the same they had been during the last reign, and were in no respect altered. Upon which he desired to enter into confidences with them; but there was now too much ground given for suspicion.

During this winter I was encouraged by the queen to speak more freely to her of her affairs than I had ever ventured to do formerly. I told her what reports were secretly spread of her through the nation, as if she favoured the design of bringing the pretender to succeed to the crown, upon a bargain that she should hold it during her life: I was sure these reports were spread about by persons who were in the confidence of those that were believed to know her mind: I was well assured that the jacobites of Scotland had, upon her coming to the crown, sent up one Ogilby, of Boyne, who was in great esteem among them, to propose the bargain to her; he, when he went back, gave the party full assurances that she accepted of it: this I had from some of the lords of Scotland, who were then in the secret with the professed jacobites. The earl of Cromarty made a speech in parliament, as was formerly mentioned, contradicting this, and alluding to the distinction of the calvinists, made between the secret and the revealed will of God. He assured them the queen had no secret will, contrary to that which she declared. Yet at the same time his brother gave the party assurances to the contrary. I told the queen all this; and said, if she was capable of making such a bargain for herself, by which her people were to be delivered up and sacrificed after her death, as it would darken all the glory of her reign, so it must set all her people to consider of the most proper ways of securing themselves, by bringing over the protestant successors; in which I told her plainly I would concur, if she did not take effectual means to extinguish those jealousies. I told her, her ministers had served her with that fidelity, and such success, that her making a change among them would amaze all the world. The glory of queen Elizabeth's reign arose from the firmness of her counsels and the continuance of her ministers; as the three last reigns, in which the ministry was often changed, had suffered extremely by it. I also showed her, that if she suffered the pretender's party to prepare the nation for his succeeding her, she ought not to imagine that, when they thought they had fixed that matter, they would stay for the natural end of her life; but that they would find ways to shorten it: nor did I think it was to be doubted, but that, in 1708, when the pretender was upon the sea, they had laid some assassines here, who, upon the news of his landing, would have tried to despatch her. It was certain that their interest led them to it, as it was known that their principles did allow of it. This, with a great deal more to the same purpose, I laid before the queen. She heard me patiently: she was for the most part silent; yet, by what she said, she seemed desirous to make me think she agreed to what I had laid before her; but I found afterwards it had no effect upon her: yet I had great quiet in my own mind, since I had, with an honest freedom, made the best use I could have of the access I had to her.

The duke of Marlborough went beyond sea in February, to prepare all matters for an early campaign, designing to open it in April, which was done. The French had wrought so long upon their lines, that it was thought they would have taken as much care in maintaining them; but, upon the advance of our army, they abandoned them. And though they seemed resolved to make a stand upon the Scarpe, yet they ran from that likewise; and this opened the way all on to Douay: so that was invested. The garrison was eight thousand strong, well furnished with every thing necessary to make a brave defence: the besieged sallied out often, sometimes with advantage, but much oftener with loss. It was the middle of May before the French could bring their army together: it appeared that they resolved to stand upon the defensive, though they had brought up together a vast army of two hundred battalions and three hundred squadrons. They lay before Arras, and advanced to the plains of Lens. Villars commanded, and made such speeches to his army, that it was generally believed he would venture on a battle, rather than look on and see Douay lost. The duke of Marlborough and prince Eugene posted their army so advantageously, both to cover the siege and to receive the enemy, that he durst not attack them; but after he had looked on a few days, in which the two armies were not above a league distant, he drew off. So the siege going on, and no relief appearing, both Douay and the Fort Escarp capitulated on the fourteenth of June.

I have now completed my first design in writing, which was to give a history of our affairs for fifty years, from the twenty-ninth of May, 1660. So if I confined myself to that I should here give over. But the war seeming now to be near an end, and the peace, in

which it must end, being that which will probably give a new settlement to all Europe, as well as to our affairs, I resolve to carry on this work to the conclusion of the war. And therefore I begin with the progress of the negotiations for peace, which seemed now to be prosecuted with warmth.

All the former winter an intercourse of letters was kept up between Pettecum and Torcy, to try if an expedient could be found to soften that article for the reduction of Spain to the obedience of king Charles, which was the thirty-seventh article of the preliminaries. It still was kept in agitation upon the foot of offering three towns to be put into the hands of the allies, to be restored by them when the affairs of Spain should be settled; otherwise to be still retained by them. The meaning of which was no other than that France was willing to lose three towns more, in case king Philip should keep Spain and the West Indies. The places therefore ought to have borne some equality to that for which they were to be given in pawn; but the answers the French made to every proposition, showed they meant nothing but to amuse and distract the allies. The first demand the allies made was of the places in Spain, then in the hands of the king of France; for the delivering up these might have been a good step to the reduction of the whole. But this was flatly refused; and, that the king of France might put it out of his power to treat about it, he ordered his troops to be drawn out of all the strong places in Spain, and, soon after, out of that kingdom, pretending he was thereby evacuating it; though the French forces were kept still in the neighbourhood: so a show was made of leaving Spain to defend itself. And upon that king Philip prevailed on the Spaniards to make great efforts, beyond what was ever expected of them. This was done by the French king to deceive both the allies and his own subjects, who were calling loudly for a peace: and it likewise eased him of a great part of the charge that Spain had put him to. But while his troops were called out of that kingdom, as many deserted, by a visible connivance, as made up several battalions; and all the Walloon regiments, as being subjects of Spain, were sent thither: so that king Philip was not weakened by the recalling the French troops, and by this means the places in Spain could not be any more demanded. The next, as most important towards the reduction of Spain, was the demand that Bayonne and Perpignan might be put into the hands of the allies, with Thionville on the side of the empire. By the two former, all communication between France and Spain would be cut off, and the allies would be enabled to send forces thither with less expense and trouble. But it was said these were the keys of France, which the king could not part with: so it remained to treat of towns on the frontier of the Netherlands; and even there they excepted Douay, Arras, and Cambray. So that all their offers appeared illusory, and the intercourse by letters was for some time let fall. But in the end of the former year, Torcy wrote to Pettecum, to desire either that passes might be granted to some ministers to come to Holland, to go on with the negotiation, or that Pettecum might be suffered to go to Paris, to see if an expedient could be found: and the States consented to the last. In the meanwhile, king Philip published a manifesto, protesting against all that should be transacted at the Hague to his prejudice, declaring his resolution to adhere to his faithful Spaniards. He also named plenipotentiaries to go in his name to the treaty, who gave the States notice of their powers and instructions; and, in a letter to the duke of Marlborough, they gave intimations how grateful king Philip would be to him, if by his means these his desires might be complied with; as the like insinuations had been often made by the French agents. But no notice was taken of this message from king Philip, nor was any answer given to it. Pettecum, after some days' stay at Paris, came back without the pretence of offering any expedient, but brought a paper that seemed to set aside the preliminaries; yet it set forth that the king was willing to treat on the foundation of the concessions made in them to the allies, and that the execution of all the articles should begin after the ratification. This destroyed all that had been hitherto done; and the distinction the king had formerly made between the spirit and the letter of the partition treaty showed how little he was to be relied on. So the States resolved to insist both on the preliminaries, and on the execution of them, before a general treaty should be opened. By this message, all thoughts of a treaty were at a full stand. In the beginning of February another project was sent, which was an amplification of that brought by Pettecum; only the restoring the two electors was insisted on as a preliminary,

as also the restoring the upper palatinate to the elector of Bavaria ; but the allies still insisted on the former preliminaries. The court of France seeing that the States were not to be wrought on to go off from the preliminaries, sent another message to them that the king agreed to all preliminaries, except the thirty-seventh ; and if they would consent that his ministers should come and confer with them upon that article, he did not doubt but what should be proposed from him would be to their satisfaction. This seemed to give some hopes, so the States resolved to send the passports ; but they foresaw the ill effects of suffering the French ministers to come into their country, who, by their agents, were every where stirring up the people against the government, as if they were prolonging the war without necessity : so they appointed Gertruydenburg to be the place to which the French ministers were to come to treat with the deputies they should send to meet them.

The ministers sent by France were the marquis d'Uxelles and the abbot de Polignac ; and those from the States were Buys and Vanderdussen. The conferences began in March. The French proposed that the dominions in Italy, with the islands, should be given to one of the competitors for the Spanish monarchy, without naming which ; but it was understood that they meant king Philip. The deputies did not absolutely reject this, but showed that the emperor would never consent to parting with Naples, nor giving the French such footing in Italy : the French seemed to be sensible of this. The first conference ended upon the return of the courier whom they sent to Versailles. They moved for another conference ; and, upon several propositions, there were several conferences renewed. The king of France desisted from the demand of Naples, but insisted on that of the places on the coast of Tuscany. At last they desisted from that too, and insisted only on Sicily and Sardinia. So now the partition seemed as it were settled. Upon which, the deputies of the States pressed the ministers of France to give them solid assurances of king Philip's quitting Spain and the West Indies : to this (upon advertisement given to the court of France) they answered, that the king would enter into measures with them to force it. Many difficulties were started about the troops to be employed, what their number should be, and who should command them ; all which showed the execution would prove impracticable. Then they talked of a sum of money to be paid annually during the war ; and here new difficulties arose, both in settling the sum and in securing the payment. They offered the bankers of Paris ; but these must all break whosoever the king had a mind they should. So it plainly appeared all was intended only to divide the allies by this offer of a partition, to which the States consented, and at which the French hoped the house of Austria would have been provoked against them. The French asked an assurance of the deputies, that no other articles should be insisted on but those in the preliminaries. This the deputies positively refused ; for they had, by one of the preliminaries, reserved a power to all the allies to make further demands, when a general treaty should be opened : they said they themselves would demand no more, but they could not limit the rest from their just demands. This was another artifice to provoke the empire and the duke of Savoy, as if the States intended to force them to accept of such a peace as they should prescribe. In another conference, the States rejected the offer of a sum of money for carrying on the war in Spain, and therefore demanded that the French would explain themselves upon the subject of evacuating Spain and the West Indies, in favour of king Charles, before they could declare their intentions with relation to the partition ; and added, that all further conferences would be to no purpose till that was done.

The French were now resolved to break off the negotiation, and so they were pleased to call this demand of the States a formal rupture of the treaty ; and upon the return of an express that they sent to Versailles, they wrote a long letter to the pensioner, in the form of a manifesto ; and so returned back to France in the end of July. This is the account that both our ministers here and the States have published of that affair. The French have published nothing ; for they would not own to the Spaniards that they ever entered upon any treaty for a partition of their monarchy, much less for evacuating Spain. Whether France did ever design any thing by all this negotiation, but to quiet their own people, and to amuse and divide the allies, is yet to us a secret ; but if they ever intended a peace, the reason of their going off from it must have been the account they then had of our distractions